

**Exhibit 1**

**EXHIBIT 1**

**Encinitas Union School District Commitment Adjustment Letters**

**FCC Form 470 – 80210000602237 – FiberOptic Wide Area Network Service (F-Wan)**

Letter Date	Addressed To	Service Provider Name	BEN	Funding Year	Form 470	Form 471	FRN	Original Funding Commitment	Funds Disbursed to Date	Funds to be Recovered from Applicant	Funds to be Rescinded
3/11/13	Carl E. Thompson	Pacific Bell Telephone	143637	2007	801210000602237	560067	1546899	\$96,267.44	\$79,295.86	\$79,295.86	\$16971.58
3/11/13	Carl E. Thompson	Pacific Bell Telephone	143637	2008	801210000602237	602626	1663285	\$92,770.98	\$89,904.12	\$89,904.12	\$2866.86
3/11/13	Car. E. Thompson	Pacific Bell Telephone	143637	2009	801210000602237	653949	1792255	\$92,770.98	\$89,893.88	\$89,893.88	\$2,877.10
3/11/13	Carl E. Thompson	Pacific Bell Telephone	143637	2010	801210000602237	704220	1966774	\$96,109.04	\$96,101.97	\$96,101.97	\$7.07
3/11/13	Carl E. Thompson	Pacific Bell Telephone	143637	2011	801210000602237	800921	2177898	\$89,253.61	\$89,253.61	\$89,253.61	\$0.00



Universal Service Administrative Company

Schools and Libraries Division

Notification of Commitment Adjustment Letter

Funding Year 2007: July 1, 2007 - June 30, 2008

March 11, 2013

Carl E. Thompson  
ENCINITAS UNION ELEM SCH DIST  
11925 Rising Sun Way  
Suite 100  
Gold River, CA 95670 8388

Re: Form 471 Application Number:	560067
Funding Year:	2007
Applicant's Form Identifier:	EUSD F471 Yr10
Billed Entity Number:	143637
FCC Registration Number:	0014168363
SPIN:	143002665
Service Provider Name:	Pacific Bell Telephone Company
Service Provider Contact Person:	Michael Swisher

Our routine review of Schools and Libraries Program (Program) funding commitments has revealed certain applications where funds were committed in violation of Program rules.

In order to be sure that no funds are used in violation of Program rules, the Universal Service Administrative Company (USAC) must now adjust your overall funding commitment. The purpose of this letter is to make the required adjustments to your funding commitment, and to give you an opportunity to appeal this decision. USAC has determined the applicant is responsible for all or some of the violations. Therefore, the applicant is responsible to repay all or some of the funds disbursed in error (if any).

This is NOT a bill. If recovery of disbursed funds is required, the next step in the recovery process is for USAC to issue you a Demand Payment Letter. The balance of the debt will be due within 30 days of that letter. Failure to pay the debt within 30 days from the date of the Demand Payment Letter could result in interest, late payment fees, administrative charges and implementation of the "Red Light Rule." The FCC's Red Light Rule requires USAC to dismiss pending FCC Form 471 applications if the entity responsible for paying the outstanding debt has not paid the debt, or otherwise made satisfactory arrangements to pay the debt within 30 days of the notice provided by USAC. For more information on the Red Light Rule, please see "Red Light Frequently Asked Questions (FAQs)" posted on the FCC website at [http://www.fcc.gov/debt\\_collection/faq.html](http://www.fcc.gov/debt_collection/faq.html).

TO APPEAL THIS DECISION:

You have the option of filing an appeal with USAC or directly with the Federal Communications Commission (FCC).

If you wish to appeal the Commitment Adjustment Decision indicated in this letter to USAC your appeal must be received or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and email address (if available) for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Identify the date of the Notification of Commitment Adjustment Letter and the Funding Request Number(s) (FRN) you are appealing. Your letter of appeal must include the
  - Billed Entity Name,
  - Form 471 Application Number,
  - Billed Entity Number, and
  - FCC Registration Number (FCC RN) from the top of your letter.
3. When explaining your appeal, copy the language or text from the Notification of Commitment Adjustment Letter that is the subject of your appeal to allow USAC to more readily understand your appeal and respond appropriately. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal including any correspondence and documentation.
4. If you are an applicant, please provide a copy of your appeal to the service provider(s) affected by USAC's decision. If you are a service provider, please provide a copy of your appeal to the applicant(s) affected by USAC's decision.
5. Provide an authorized signature on your letter of appeal.

To submit your appeal to us on paper, send your appeal to:

Letter of Appeal  
Schools and Libraries Division - Correspondence Unit  
100 S. Jefferson Rd.  
P. O. Box 902  
Whippany, NJ 07981

For more information on submitting an appeal to USAC, please see the "Appeals Procedure" posted on our website.

If you wish to appeal a decision in this letter to the FCC, you should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received by the FCC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. We strongly recommend that you use the electronic filing options described in the "Appeals Procedure" posted on our website. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554.

#### FUNDING COMMITMENT ADJUSTMENT REPORT

On the pages following this letter, we have provided a Funding Commitment Adjustment Report (Report) for the Form 471 application cited above. The enclosed Report includes the Funding Request Number(s) from your application for which adjustments are necessary. See the "Guide to USAC Letter Reports" posted at <http://usac.org/sl/tools/reference/guide-usac-letter-reports.aspx> for more information on each of the fields in the Report. USAC is also sending this information to your service provider(s) for informational purposes. If USAC has determined the service provider is also responsible for any rule violation on the FRN(s), a separate letter will be sent to the service provider detailing the necessary service provider action.

Note that if the Funds Disbursed to Date amount is less than the Adjusted Funding Commitment amount, USAC will continue to process properly filed invoices up to the Adjusted Funding Commitment amount. Review the Funding Commitment Adjustment Explanation in the attached Report for an explanation of the reduction to the commitment(s). Please ensure that any invoices that you or your service provider(s) submits to USAC are consistent with Program rules as indicated in the Funding Commitment Adjustment Explanation. If the Funds Disbursed to Date amount exceeds your Adjusted Funding Commitment amount, USAC will have to recover some or all of the disbursed funds. The Report explains the exact amount (if any) the applicant is responsible for repaying.

Schools and Libraries Division  
Universal Services Administrative Company

cc: Michael Swisher  
Pacific Bell Telephone Company

Funding Commitment Adjustment Report for  
Form 471 Application Number: 560067

Funding Request Number: 1546899  
Services Ordered: TELCOMM SERVICES  
SPIN: 143002665  
Service Provider Name: Pacific Bell Telephone Company  
Contract Number: 20070125-0167  
Billing Account Number: 760-944-4300  
Site Identifier: 143637  
Original Funding Commitment: \$96,267.44  
Commitment Adjustment Amount: \$96,267.44  
Adjusted Funding Commitment: \$0.00  
Funds Disbursed to Date \$79,295.86  
Funds to be Recovered from Applicant: \$79,295.86  
Funding Commitment Adjustment Explanation:

After a thorough investigation, it has been determined that this funding commitment must be rescinded in full. On the FY 2007 FCC Form 470, you certified that you reviewed and complied with all FCC, state and local procurement/competitive bidding requirements. During an audit, it was determined that you failed to comply with all FCC, state and local procurement/competitive bidding requirements. This determination was based on the auditors finding that bid evaluation sheets provided by the applicant, did not identify the significant bid evaluation factors and their relative importance in the Request for Proposal (RFP) in funding years 2007 and 2008. The applicant did not identify the importance of each factor in evaluating the potential bids as required by California's procurement laws and the evaluation factors in the RFP for FY2008 did not match the evaluation factors that were on the applicants E-rate RFP Assessment Worksheet. FCC rules require that the applicant submits a bona fide request for services by conducting internal assessments of the components necessary to use effectively the discounted services ordered, and by submitting a complete description of services requested so that it may be posted for competing providers to evaluate and certify to certain criteria under penalty of perjury. Since you failed to comply with local and state procurement laws, you violated the competitive bidding process. Accordingly, the commitment has been rescinded in full and USAC will seek recovery of any improperly disbursed funds from the applicant.



Universal Service Administrative Company

Schools and Libraries Division

Notification of Commitment Adjustment Letter

Funding Year 2008: July 1, 2008 - June 30, 2009

March 11, 2013

Carl E. Thompson  
ENCINITAS UNION ELEM SCH DIST  
11494 Huntington Village Lane  
Suite 100  
Gold River, CA 95670 7544

Re: Form 471 Application Number:	602626
Funding Year:	2008
Applicant's Form Identifier:	Yr11 F471 Telecom
Billed Entity Number:	143637
FCC Registration Number:	0014168363
SPIN:	143002665
Service Provider Name:	Pacific Bell Telephone Company
Service Provider Contact Person:	Michael Swisher

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Whippany, NJ 07981

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Schools and Libraries Division  
Universal Services Administrative Company

cc: Michael Swisher  
Pacific Bell Telephone Company

Funding Commitment Adjustment Report for  
Form 471 Application Number: 602626

Funding Request Number: 1663285  
Services Ordered: TELCOMM SERVICES  
SPIN: 143002665  
Service Provider Name: Pacific Bell Telephone Company  
Contract Number: 20070125-0167  
Billing Account Number: 760-944-4300  
Site Identifier: 143637  
Original Funding Commitment: \$92,770.98  
Commitment Adjustment Amount: \$92,770.98  
Adjusted Funding Commitment: \$0.00  
Funds Disbursed to Date \$89,904.12  
Funds to be Recovered from Applicant: \$89,904.12  
Funding Commitment Adjustment Explanation:

After a thorough investigation, it has been determined that this funding commitment must be rescinded in full. On the FY 2007 FCC Form 470, you certified that you reviewed and complied with all FCC, state and local procurement/competitive bidding requirements. During an audit, it was determined that you failed to comply with all FCC, state and local procurement/competitive bidding requirements. This determination was based on the auditors finding that bid evaluation sheets provided by the applicant, did not identify the significant bid evaluation factors and their relative importance in the Request for Proposal (RFP) in funding years 2007 and 2008. The applicant did not identify the importance of each factor in evaluating the potential bids as required by California's procurement laws and the evaluation factors in the RFP for FY2008 did not match the evaluation factors that were on the applicants E-rate RFP Assessment Worksheet. FCC rules require that the applicant submits a bona fide request for services by conducting internal assessments of the components necessary to use effectively the discounted services ordered, and by submitting a complete description of services requested so that it may be posted for competing providers to evaluate and certify to certain criteria under penalty of perjury. Since you failed to comply with local and state procurement laws, you violated the competitive bidding process. Accordingly, the commitment has been rescinded in full and USAC will seek recovery of any improperly disbursed funds from the applicant.

Funding Request Number:	1663316
Services Ordered:	TELCOMM SERVICES
SPIN:	143002665
Service Provider Name:	Pacific Bell Telephone Company
Contract Number:	Calnet 2 MSA-1
Billing Account Number:	760-944-4300
Site Identifier:	143637
Original Funding Commitment:	\$21,469.14
Commitment Adjustment Amount:	\$21,469.14
Adjusted Funding Commitment:	\$0.00
Funds Disbursed to Date	\$19,508.73
Funds to be Recovered from Applicant:	\$19,508.73
Funding Commitment Adjustment Explanation:	

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Universal Service Administrative Company

Schools and Libraries Division

Notification of Commitment Adjustment Letter

Funding Year 2009: July 1, 2009 - June 30, 2010

March 11, 2013

Carl E. Thompson  
ENCINITAS UNION ELEM SCH DIST  
11494 Huntington Village Lane  
Suite 100  
Gold River, CA 95670 7544

Re: Form 471 Application Number:	653949
Funding Year:	2009
Applicant's Form Identifier:	EUSD-471-12
Billed Entity Number:	143637
FCC Registration Number:	0014168363
SPIN:	143002665
Service Provider Name:	Pacific Bell Telephone Company
Service Provider Contact Person:	Michael Swisher

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Schools and Libraries Division  
Universal Services Administrative Company

cc: Michael Swisher  
Pacific Bell Telephone Company

Funding Commitment Adjustment Report for  
Form 471 Application Number: 653949

Funding Request Number:	1792255
Services Ordered:	TELCOMM SERVICES
SPIN:	143002665
Service Provider Name:	Pacific Bell Telephone Company
Contract Number:	20070125-0167
Billing Account Number:	339-341-9793
Site Identifier:	143637
Original Funding Commitment:	\$92,770.98
Commitment Adjustment Amount:	\$92,770.98
Adjusted Funding Commitment:	\$0.00
Funds Disbursed to Date	\$89,893.88
Funds to be Recovered from Applicant:	\$89,893.88
Funding Commitment Adjustment Explanation:	

After a thorough investigation, it has been determined that this funding commitment must be rescinded in full. On the FY 2007 FCC Form 470, you certified that you reviewed and complied with all FCC, state and local procurement/competitive bidding requirements. During an audit, it was determined that you failed to comply with all FCC, state and local procurement/competitive bidding requirements. This determination was based on the auditors finding that bid evaluation sheets provided by the applicant, did not identify the significant bid evaluation factors and their relative importance in the Request for Proposal (RFP) in funding years 2007 and 2008. The applicant did not identify the importance of each factor in evaluating the potential bids as required by Californias procurement laws and the evaluation factors in the RFP for FY2008 did not match the evaluation factors that were on the applicants E-rate RFP Assessment Worksheet. FCC rules require that the applicant submits a bona fide request for services by conducting internal assessments of the components necessary to use effectively the discounted services ordered, and by submitting a complete description of services requested so that it may be posted for competing providers to evaluate and certify to certain criteria under penalty of perjury. Since you failed to comply with local and state procurement laws, you violated the competitive bidding process. Accordingly, the commitment has been rescinded in full and USAC will seek recovery of any improperly disbursed funds from the applicant.

Funding Request Number: 1792293  
Services Ordered: TELCOMM SERVICES  
SPIN: 143002665  
Service Provider Name: Pacific Bell Telephone Company  
Contract Number: Calnet 2 MSA-1  
Billing Account Number: 760-944-4300  
Site Identifier: 143637  
Original Funding Commitment: \$24,500.05  
Commitment Adjustment Amount: \$24,500.05  
Adjusted Funding Commitment: \$0.00  
Funds Disbursed to Date \$17,176.03  
Funds to be Recovered from Applicant: \$17,176.03  
Funding Commitment Adjustment Explanation:

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Universal Service Administrative Company

Schools and Libraries Division

**Notification of Commitment Adjustment Letter**

**Funding Year 2010: July 1, 2010 - June 30, 2011**

March 11, 2013

Carl E. Thompson  
ENCINITAS UNION ELEM SCH DIST  
11494 Huntington Village Lane  
Suite 100  
Gold River, CA 95670 7544

Re: Form 471 Application Number:	704220
Funding Year:	2010
Applicant's Form Identifier:	EUSD-471-13
Billed Entity Number:	143637
FCC Registration Number:	0014168363
SPIN:	143002665
Service Provider Name:	Pacific Bell Telephone Company
Service Provider Contact Person:	Michael Swisher

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P. O. Box 902  
Whippany, NJ 07981

For more information on submitting an appeal to USAC, please see the "Appeals Procedure" posted on our website.

If you wish to appeal a decision in this letter to the FCC, you should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received by the FCC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. We strongly recommend that you use the electronic filing options described in the "Appeals Procedure" posted on our website. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554.

## FUNDING COMMITMENT ADJUSTMENT REPORT

On the pages following this letter, we have provided a Funding Commitment Adjustment Report (Report) for the Form 471 application cited above. The enclosed Report includes the Funding Request Number(s) from your application for which adjustments are necessary. See the "Guide to USAC Letter Reports" posted at <http://usac.org/sl/tools/reference/guide-usac-letter-reports.aspx> for more information on each of the fields in the Report. USAC is also sending this information to your service provider(s) for informational purposes. If USAC has determined the service provider is also responsible for any rule violation on the FRN(s), a separate letter will be sent to the service provider detailing the necessary service provider action.

Note that if the Funds Disbursed to Date amount is less than the Adjusted Funding Commitment amount, USAC will continue to process properly filed invoices up to the Adjusted Funding Commitment amount. Review the Funding Commitment Adjustment Explanation in the attached Report for an explanation of the reduction to the commitment(s). Please ensure that any invoices that you or your service provider(s) submits to USAC are consistent with Program rules as indicated in the Funding Commitment Adjustment Explanation. If the Funds Disbursed to Date amount exceeds your Adjusted Funding Commitment amount, USAC will have to recover some or all of the disbursed funds. The Report explains the exact amount (if any) the applicant is responsible for repaying.

Schools and Libraries Division  
Universal Services Administrative Company

cc: Michael Swisher  
Pacific Bell Telephone Company

Funding Commitment Adjustment Report for  
Form 471 Application Number: 704220

Funding Request Number:	1966774
Services Ordered:	TELCOMM SERVICES
SPIN:	143002665
Service Provider Name:	Pacific Bell Telephone Company
Contract Number:	20070125-0167
Billing Account Number:	339-341-9793
Site Identifier:	143637
Original Funding Commitment:	\$96,109.04
Commitment Adjustment Amount:	\$96,109.04
Adjusted Funding Commitment:	\$0.00
Funds Disbursed to Date	\$96,101.97
Funds to be Recovered from Applicant:	\$96,101.97
Funding Commitment Adjustment Explanation:	

After a thorough investigation, it has been determined that this funding commitment must be rescinded in full. On the FY 2007 FCC Form 470, you certified that you reviewed and complied with all FCC, state and local procurement/competitive bidding requirements. During an audit, it was determined that you failed to comply with all FCC, state and local procurement/competitive bidding requirements. This determination was based on the auditors finding that bid evaluation sheets provided by the applicant, did not identify the significant bid evaluation factors and their relative importance in the Request for Proposal (RFP) in funding years 2007 and 2008. The applicant did not identify the importance of each factor in evaluating the potential bids as required by Californias procurement laws and the evaluation factors in the RFP did not match the evaluation factors that were on the applicants E-rate RFP Assessment Worksheet. FCC rules require that the applicant submits a bona fide request for services by conducting internal assessments of the components necessary to use effectively the discounted services ordered, and by submitting a complete description of services requested so that it may be posted for competing providers to evaluate and certify to certain criteria under penalty of perjury. Since you failed to comply with local and state procurement laws, you violated the competitive bidding process. Accordingly, the commitment has been rescinded in full and USAC will seek recovery of any improperly disbursed funds from the applicant.

Funding Request Number: 1966836  
Services Ordered: TELCOMM SERVICES  
SPIN: 143002665  
Service Provider Name: Pacific Bell Telephone Company  
Contract Number: Calnet 2 MSA-1  
Billing Account Number: 339-341-9793  
Site Identifier: 143637  
Original Funding Commitment: \$20,018.07  
Commitment Adjustment Amount: \$20,018.07  
Adjusted Funding Commitment: \$0.00  
Funds Disbursed to Date \$17,769.29  
Funds to be Recovered from Applicant: \$17,769.29  
Funding Commitment Adjustment Explanation:

After a thorough investigation, it has been determined that this funding commitment must be rescinded in full. On the FY 2008 FCC Form 470, you certified that you reviewed and complied with all FCC, state and local procurement/competitive bidding requirements. During an audit, it was determined that you failed to comply with all FCC, state and local procurement/competitive bidding requirements. This determination was based on the auditors finding that bid evaluation sheets provided by the applicant, did not identify the significant bid evaluation factors and their relative importance in the Request for Proposal (RFP) in funding years 2007 and 2008. The applicant did not identify the importance of each factor in evaluating the potential bids as required by Californias procurement laws and the evaluation factors in the RFP did not match the evaluation factors that were on the applicants E-rate RFP Assessment Worksheet. FCC rules require that the applicant submits a bona fide request for services by conducting internal assessments of the components necessary to use effectively the discounted services ordered, and by submitting a complete description of services requested so that it may be posted for competing providers to evaluate and certify to certain criteria under penalty of perjury. Since you failed to comply with local and state procurement laws, you violated the competitive bidding process. Accordingly, the commitment has been rescinded in full and USAC will seek recovery of any improperly disbursed funds from the applicant.



Universal Service Administrative Company

Schools and Libraries Division

Notification of Commitment Adjustment Letter

Funding Year 2011: July 1, 2011 - June 30, 2012

March 11, 2013

Carl E. Thompson  
ENCINITAS UNION ELEM SCH DIST  
11494 Huntington Village Lane  
Gold River, CA 95670 7544

Re: Form 471 Application Number:	800921
Funding Year:	2011
Applicant's Form Identifier:	EUSD-471-14
Billed Entity Number:	143637
FCC Registration Number:	0014168363
SPIN:	143002665
Service Provider Name:	Pacific Bell Telephone Company
Service Provider Contact Person:	Michael Swisher

Our routine review of Schools and Libraries Program (Program) funding commitments has revealed certain applications where funds were committed in violation of Program rules.

In order to be sure that no funds are used in violation of Program rules, the Universal Service Administrative Company (USAC) must now adjust your overall funding commitment. The purpose of this letter is to make the required adjustments to your funding commitment, and to give you an opportunity to appeal this decision. USAC has determined the applicant is responsible for all or some of the violations. Therefore, the applicant is responsible to repay all or some of the funds disbursed in error (if any).

This is NOT a bill. If recovery of disbursed funds is required, the next step in the recovery process is for USAC to issue you a Demand Payment Letter. The balance of the debt will be due within 30 days of that letter. Failure to pay the debt within 30 days from the date of the Demand Payment Letter could result in interest, late payment fees, administrative charges and implementation of the "Red Light Rule." The FCC's Red Light Rule requires USAC to dismiss pending FCC Form 471 applications if the entity responsible for paying the outstanding debt has not paid the debt, or otherwise made satisfactory arrangements to pay the debt within 30 days of the notice provided by USAC. For more information on the Red Light Rule, please see "Red Light Frequently Asked Questions (FAQs)" posted on the FCC website at [http://www.fcc.gov/debt\\_collection/faq.html](http://www.fcc.gov/debt_collection/faq.html).

TO APPEAL THIS DECISION:

You have the option of filing an appeal with USAC or directly with the Federal Communications Commission (FCC).

If you wish to appeal the Commitment Adjustment Decision indicated in this letter to USAC your appeal must be received or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and email address (if available) for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Identify the date of the Notification of Commitment Adjustment Letter and the Funding Request Number(s) (FRN) you are appealing. Your letter of appeal must include the
  - Billed Entity Name,
  - Form 471 Application Number,
  - Billed Entity Number, and
  - FCC Registration Number (FCC RN) from the top of your letter.
3. When explaining your appeal, copy the language or text from the Notification of Commitment Adjustment Letter that is the subject of your appeal to allow USAC to more readily understand your appeal and respond appropriately. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal including any correspondence and documentation.
4. If you are an applicant, please provide a copy of your appeal to the service provider(s) affected by USAC's decision. If you are a service provider, please provide a copy of your appeal to the applicant(s) affected by USAC's decision.
5. Provide an authorized signature on your letter of appeal.

To submit your appeal to us on paper, send your appeal to:

Letter of Appeal  
Schools and Libraries Division - Correspondence Unit  
100 S. Jefferson Rd.  
P. O. Box 902  
Whippany, NJ 07981

For more information on submitting an appeal to USAC, please see the "Appeals Procedure" posted on our website.

If you wish to appeal a decision in this letter to the FCC, you should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received by the FCC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. We strongly recommend that you use the electronic filing options described in the "Appeals Procedure" posted on our website. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554.

#### FUNDING COMMITMENT ADJUSTMENT REPORT

On the pages following this letter, we have provided a Funding Commitment Adjustment Report (Report) for the Form 471 application cited above. The enclosed Report includes the Funding Request Number(s) from your application for which adjustments are necessary. See the "Guide to USAC Letter Reports" posted at <http://usac.org/sl/tools/reference/guide-usac-letter-reports.aspx> for more information on each of the fields in the Report. USAC is also sending this information to your service provider(s) for informational purposes. If USAC has determined the service provider is also responsible for any rule violation on the FRN(s), a separate letter will be sent to the service provider detailing the necessary service provider action.

Note that if the Funds Disbursed to Date amount is less than the Adjusted Funding Commitment amount, USAC will continue to process properly filed invoices up to the Adjusted Funding Commitment amount. Review the Funding Commitment Adjustment Explanation in the attached Report for an explanation of the reduction to the commitment(s). Please ensure that any invoices that you or your service provider(s) submits to USAC are consistent with Program rules as indicated in the Funding Commitment Adjustment Explanation. If the Funds Disbursed to Date amount exceeds your Adjusted Funding Commitment amount, USAC will have to recover some or all of the disbursed funds. The Report explains the exact amount (if any) the applicant is responsible for repaying.

Schools and Libraries Division  
Universal Services Administrative Company

cc: Michael Swisher  
Pacific Bell Telephone Company



Funding Commitment Adjustment Report for  
Form 471 Application Number: 800921

Funding Request Number:	2177898
Services Ordered:	TELCOMM SERVICES
SPIN:	143002665
Service Provider Name:	Pacific Bell Telephone Company
Contract Number:	20070125
Billing Account Number:	339-341-9793
Site Identifier:	143637
Original Funding Commitment:	\$89,253.61
Commitment Adjustment Amount:	\$89,253.61
Adjusted Funding Commitment:	\$0.00
Funds Disbursed to Date	\$89,253.61
Funds to be Recovered from Applicant:	\$89,253.61
Funding Commitment Adjustment Explanation:	

After a thorough investigation, it has been determined that this funding commitment must be rescinded in full. On the FY 2007 FCC Form 470, you certified that you reviewed and complied with all FCC, state and local procurement/competitive bidding requirements. During an audit, it was determined that you failed to comply with all FCC, state and local procurement/competitive bidding requirements. This determination was based on the auditors finding that bid evaluation sheets provided by the applicant, did not identify the significant bid evaluation factors and their relative importance in the Request for Proposal (RFP) in funding years 2007 and 2008. The applicant did not identify the importance of each factor in evaluating the potential bids as required by Californias procurement laws and the evaluation factors in the RFP for FY2008 did not match the evaluation factors that were on the applicants E-rate RFP Assessment Worksheet. FCC rules require that the applicant submits a bona fide request for services by conducting internal assessments of the components necessary to use effectively the discounted services ordered, and by submitting a complete description of services requested so that it may be posted for competing providers to evaluate and certify to certain criteria under penalty of perjury. Since you failed to comply with local and state procurement laws, you violated the competitive bidding process. Accordingly, the commitment has been rescinded in full and USAC will seek recovery of any improperly disbursed funds from the applicant.

Funding Request Number: 2177967  
Services Ordered: TELCOMM SERVICES  
SPIN: 143002665  
Service Provider Name: Pacific Bell Telephone Company  
Contract Number: Calnet 2 MSA-1  
Billing Account Number: 339-341-9793  
Site Identifier: 143637  
Original Funding Commitment: \$18,963.76  
Commitment Adjustment Amount: \$18,963.76  
Adjusted Funding Commitment: \$0.00  
Funds Disbursed to Date \$15,895.33  
Funds to be Recovered from Applicant: \$15,895.33  
Funding Commitment Adjustment Explanation:

After a thorough investigation, it has been determined that this funding commitment must be rescinded in full. On the FY 2007 FCC Form 470, you certified that you reviewed and complied with all FCC, state and local procurement/competitive bidding requirements. During an audit, it was determined that you failed to comply with all FCC, state and local procurement/competitive bidding requirements. This determination was based on the auditors finding that bid evaluation sheets provided by the applicant, did not identify the significant bid evaluation factors and their relative importance in the Request for Proposal (RFP) in funding years 2007 and 2008. The applicant did not identify the importance of each factor in evaluating the potential bids as required by Californias procurement laws and the evaluation factors in the RFP for FY2008 did not match the evaluation factors that were on the applicants E-rate RFP Assessment Worksheet. FCC rules require that the applicant submits a bona fide request for services by conducting internal assessments of the components necessary to use effectively the discounted services ordered, and by submitting a complete description of services requested so that it may be posted for competing providers to evaluate and certify to certain criteria under penalty of perjury. Since you failed to comply with local and state procurement laws, you violated the competitive bidding process. Accordingly, the commitment has been rescinded in full and USAC will seek recovery of any improperly disbursed funds from the applicant.

## **Exhibit 2**

FCC Form

Approval by OMB  
3060-0806

470

# Schools and Libraries Universal Service Description of Services Requested and Certification Form

Estimated Average Burden Hours Per Response: 4.0 hours

This form is designed to help you describe the eligible telecommunications-related services you seek so that this data can be posted on the Fund Administrator website and interested service providers can identify you as a potential customer and compete to serve you.

Please read instructions before beginning this application.

(To be completed by entity that will negotiate with providers.)

**Block 1: Applicant Address and Identifications**

<b>Form 470 Application Number:</b> 801210000602237		
<b>Applicant's Form Identifier:</b> EUSD-F470-Yr10		
<b>Application Status:</b> CERTIFIED		
<b>Posting Date:</b> 12/07/2006		
<b>Allowable Contract Date:</b> 01/04/2007		
<b>Certification Received Date:</b> 12/12/2006		
<b>1. Name of Applicant:</b> ENCINITAS UNION ELEM SCH DIST		
<b>2. Funding Year:</b> 07/01/2007 - 06/30/2008		<b>3. Your Entity Number</b> 143637
<b>4a. Applicant's Street Address, P.O.Box, or Route Number</b> 101 S RANCHO SANTA FE RD		
<b>City</b> ENCINITAS	<b>State</b> CA	<b>Zip Code</b> 92024 - 4349
<b>b. Telephone number</b> (760) 944- 4300	<b>ext.</b> 1110	<b>c. Fax number</b> (760) 942- 7094
<b>5. Type Of Applicant</b>		
<input checked="" type="checkbox"/> Individual School (individual public or non-public school) <input type="checkbox"/> School District (LEA;public or non-public[e.g., diocesan] local district representing multiple schools) <input type="checkbox"/> Library (including library system, library outlet/branch or library consortium as defined under LSTA) <input type="checkbox"/> Consortium (intermediate service agencies, states, state networks, special consortia of schools and/or libraries)		
<b>6a. Contact Person's Name:</b> Carl E. Thompson		
<i>First, if the Contact Person's Street Address is the same as in Item 4 above, check this box. If not, please complete the entries for the Street Address below.</i>		
<b>6b. Street Address, P.O.Box, or Route Number</b> 11925 Rising Sun Way Suite 100		
<b>City</b> Gold River	<b>State</b> CA	<b>Zip Code</b> 95670 - 8388

Check the box next to your preferred mode of contact and provide your contact information. One box **MUST** be checked and an entry provided.

<input checked="" type="checkbox"/>	6c. Telephone Number	(916) 813- 2549
<input checked="" type="checkbox"/>	6d. Fax Number	(916) 851- 9617
<input checked="" type="checkbox"/>	6e. E-mail Address	carl.thompson@eusd.net

## Block 2: Summary Description of Needs or Services Requested

### 7 This Form 470 describes (check all that apply):

- a. ☒ Tariffed or month-to-month services to be provided without a written contract. A new Form 470 must be filed for non-contracted tariffed or month-to-month services for each funding year.
- b. ☒ Services for which a new written contract is sought for the funding year in Item 2.  
 Check if you are ☒ a multi-year contract ☒ a contract featuring voluntary extensions  
 seeking and/or extensions
- c. ☒ A multi-year contract signed on or before 7/10/97 but for which no Form 470 has been filed in a previous funding year.

**NOTE:** Services that are covered by a signed, written contract executed pursuant to posting of a Form 470 in a previous funding year OR a contract signed on/before 7/10/97 and previously reported on a Form 470 as an existing contract do NOT require filing of a new Form 470.

What kinds of service are you seeking: Telecommunications Services, Internet Access, Internal Connections Other than Basic Maintenance, or Basic Maintenance of Internal Connections? Refer to the Eligible Services List at [www.sl.universalservice.org](http://www.sl.universalservice.org) for examples. Check the relevant category or categories (8, 9, 10 and/or 11 below), and answer the questions in each category you select.

### 8 ☒ Telecommunications Services

*Do you have a Request for Proposal (RFP) that specifies the services you are seeking ? If you check YES, your RFP must be available to all interested bidders for at least 28 days. If you check YES and your RFP is not available to all interested bidders, or if you check NO and you have or intend to have an RFP, you risk denial of your funding requests.*

- a. ☒ YES, I have released or intend to release an RFP for these services. It is available or will become available on the Web at or via (check one):  
☒ the Contact Person in Item 6 or ☐ the contact listed in Item 12.

- b. ☐ NO, I have not released and do not intend to release an RFP for these services.

Whether you check YES or NO, you must list below the Telecommunications Services you seek. Specify each service or function (e.g., local voice service) and quantity and/or capacity (e.g., 20 existing lines plus 10 new ones). See the Eligible Services List at [www.sl.universalservice.org](http://www.sl.universalservice.org) for examples of eligible Telecommunications services. Remember that only eligible telecommunications providers can provide these services under the universal service support mechanism. Attach additional lines if needed.

- |   |   |  |
|---|---|--|
| c. <input checked="" type="checkbox"/> Check this box if you prefer discounts on your bill. | <input type="checkbox"/> Check this box if you prefer reimbursement after paying your bill in full. | <input type="checkbox"/> Check this box if you do not have a preference. |
|---|---|--|

Service or Function:	Quantity and/or Capacity:
Fiber Optic Wide Area Network Service (F-WAN)	Connecting: District Office (Hub) / 9 School Sites / San Diego County Office of Education (SDCOE)

### 9 ☐ Internet Access

*Do you have a Request for Proposal (RFP) that specifies the services you are seeking ? If you check*

**YES, your RFP must be available to all interested bidders for at least 28 days. If you check YES and your RFP is not available to all interested bidders, or if you check NO and you have or intend to have an RFP, you risk denial of your funding requests.**

a ☒ YES, I have released or intend to release an RFP for these services. It is available or will become available on the Web at or via (check one):

☐ the Contact Person in Item 6 or ☐ the contact listed in Item 12.

b ☒ NO, I have not released and do not intend to release an RFP for these services.

**Whether you check YES or NO, you must list below the Internet Access Services you seek. Specify each service or function (e.g., monthly Internet service) and quantity and/or capacity (e.g., for 500 users). See the Eligible Services List at [www.sl.universalservice.org](http://www.sl.universalservice.org) for examples of eligible Internet Access services. Attach additional lines if needed.**

c ☒ Check this box if you prefer discounts on your bill.

☒ Check this box if you prefer reimbursement after paying your bill in full.

☒ Check this box if you do not have a preference.

#### 10 ☐ Internal Connections Other than Basic Maintenance

**Do you have a Request for Proposal (RFP) that specifies the services you are seeking? If you check YES, your RFP must be available to all interested bidders for at least 28 days. If you check YES and your RFP is not available to all interested bidders, or if you check NO and you have or intend to have an RFP, you risk denial of your funding requests.**

a ☒ YES, I have released or intend to release an RFP for these services. It is available or will become available on the Web at or via (check one):

☐ the Contact Person in Item 6 or ☐ the contact listed in Item 12.

b ☒ NO, I have not released and do not intend to release an RFP for these services.

**Whether you check YES or NO, you must list below the Internal Connections Services you seek. Specify each service or function (e.g., a router, hub and cabling) and quantity and/or capacity (e.g., connecting 1 classroom of 30 students). See the Eligible Services List at [www.sl.universalservice.org](http://www.sl.universalservice.org) for examples of eligible Internal Connections services. Attach additional lines if needed.**

c ☒ Check this box if you prefer discounts on your bill.

☒ Check this box if you prefer reimbursement after paying your bill in full.

☒ Check this box if you do not have a preference.

#### 11 ☐ Basic Maintenance of Internal Connections

**Do you have a Request for Proposal (RFP) that specifies the services you are seeking? If you check YES, your RFP must be available to all interested bidders for at least 28 days. If you check YES and your RFP is not available to all interested bidders, or if you check NO and you have or intend to have an RFP, you risk denial of your funding requests.**

a ☒ YES, I have released or intend to release an RFP for these services. It is available or will become available on the Web at or via (check one):

☐ the Contact Person in Item 6 or ☐ the contact listed in Item 12.

b ☒ NO, I have not released and do not intend to release an RFP for these services.

**Whether you check YES or NO, you must list below the Basic Maintenance Services you seek. Specify each service or function (e.g., basic maintenance of routers) and quantity and/or capacity (e.g., for 10 routers). See the Eligible Services List at [www.sl.universalservice.org](http://www.sl.universalservice.org) for examples of eligible Basic Maintenance services. Attach additional lines if needed.**

c ☒ Check this box if you prefer discounts on your bill.

☒ Check this box if you prefer reimbursement after paying your bill in full.

☒ Check this box if you do not have a preference.

**12 (Optional) Please name the person on your staff or project who can provide additional technical details or answer specific questions from service providers about the services you are seeking. This need not be the contact person listed in Item 6 nor the Authorized Person who signs this form.**

Name:

Carl E. Thompson

Title:

E-Rate Coordinator

Telephone number

(916) 813 - 2549

Fax number

**(916) 851 - 9617**

E-mail Address

**cthompson@eusd.net**

**13a. ☒** Check this box if there are any restrictions imposed by state or local laws or regulations on how or when service providers may contact you or on other bidding procedures. Please describe below any such restrictions or procedures, and/or provide a Web address where they are posted and a contact name and telephone number. **RFPs/Bids/Contracts must conform to State of California and Encinitas Union School District (EUSD) Board of Education procurement rules and regulations. Initial contact with District representatives shall be limited to Carl E. Thompson, E-Rate Coordinator (916.813.2549), and Andrea Matusek, Purchasing Supervisor (760.944.4300, Ext: 1175).**

☒ Check this box if no state and local procurement/competitive bidding requirements apply to the procurement of services sought on this Form 470.

**13b. If you have plans to purchase additional services in future years, or expect to seek new contracts for existing services, you may summarize below (including the likely timeframes). If you are requesting services for a funding year for which a Form 470 cannot yet be filed online, include that information here. The District requires a multi-year agreement for this service. To be considered, responding vendors must offer Three (3) and Five (5) year contract options.**

### Block 3: Technology Assessment

**14. ☒ Basic telephone service only:** If your application is for basic telephone service and voice mail only, check this box and skip to Item 16. Basic telephone service is defined as wireline or wireless single line voice service (local, cellular/PCS, and/or long distance) and mandatory fees associated with such service (e.g., federal and state taxes and universal service fees).

**15.** Although the following services and facilities are ineligible for support, they are usually necessary to make effective use of the eligible services requested in this application. Unless you indicated in Item 14 that your application is ONLY for basic telephone service, you must check one or both boxes in 15a through 15e. You may provide details for purchases being sought.

**a.** Desktop communications software: Software required ☒ has been purchased; and/or ☒ is being sought.

**b.** Electrical systems: ☒ adequate electrical capacity is in place or has already been arranged; and/or ☒ upgrading for additional electrical capacity is being sought.

**c.** Computers: a sufficient quantity of computers ☒ has been purchased; and/or ☒ is being sought.

**d.** Computer hardware maintenance: adequate arrangements ☒ have been made; and/or ☒ are being sought.

**e.** Staff development: ☒ all staff have had an appropriate level of training /additional training has already been scheduled; and/or ☒ training is being sought.

**f.** Additional details: Use this space to provide additional details to help providers to identify the ineligible services you desire.

### Block 4: Recipients of Service

**16. Eligible Entities That Will Receive Services:**

Check the ONE choice (Item 16a, 16b or 16c) that best describes this application and the eligible entities that will receive the services described in this application. You will then list in Item 17 the entity/entities that will pay the bills for these services.

a. ☒ Individual school or single-site library.

b. ☒ Statewide application for (enter 2-letter state code) representing (check all that apply):

- ☐ All public schools/districts in the state:  
☐ All non-public schools in the state:  
☐ All libraries in the state:

If your statewide application includes INELIGIBLE entities, check here. ☐ If checked, complete Item 18.

c. ☒ School district, library system, or consortium application to serve multiple eligible entities:

Number of eligible entities	11
<i>For these eligible sites, please provide the following</i>	
Area Codes (list each unique area code)	Prefixes associated with each area code (first 3 digits of phone number) separate with commas, leave no spaces
619	405
619	838
619	
760	317
760	420
760	436
760	445
760	505
760	518
760	519
760	522
760	525
760	581



760	632
760	633
760	634
760	703
760	753
760	942
760	943
760	944

**17. Billed Entities**

17. Billed Entities: List the entity/entities that will be paying the bills directly to the provider for the services requested in this application. These are known as Billed Entities. At least one line of this item must be completed. If a Billed Entity cited on your Form 471 is not listed below, funding may be denied for the funding requests associated with this Form 470.

Entity Number	Entity
143637	ENCINITAS UNION ELEM SCH DIST

**18. Ineligible Participating Entities**

List the names of any entity/entities here for whom services are requested that are not eligible for the Universal Service Program.

Ineligible Participating Entity	Area Code	Prefix

**Block 5: Certification****19. ☒ I certify that the applicant includes:(Check one or both.)**

- a. ☒ schools under the statutory definitions of elementary and secondary schools found in the **No Child Left Behind Act of 2001, 20 U.S.C.Secs.7081(18) and (38)**, that do not operate as for-profit businesses, and do not have endowments exceeding \$50 million; and/or
- b. ☐ libraries or library consortia eligible for assistance from a State library administrative agency under the Library Services and Technology Act of 1996 that do not operate as for-profit businesses and whose budgets are completely separate from any school (including, but not limited to elementary and secondary schools, colleges, and universities).

**20. ☒ I certify that all of the individual schools, libraries, and library consortia receiving services under this application are covered by technology plans that are written, that cover all 12 months of the funding year, and that have been or will be approved by a state or other authorized body, an SLD-certified technology plan approver, prior to the commencement of service. The plans were written at the following level(s):**

- a. ☐ individual technology plans for using the services requested in the application; and/or
- b. ☒ higher-level technology plans for using the services requested in the application; or
- c. ☐ no technology plan needed; application requests basic local, cellular, PCS, and/or long distance telephone service and/or voice mail only

21. ☒ I certify that I will post my Form 470 and (if applicable) make my RFP available for at least 28 days before considering all bids received and selecting a service provider. I certify that all bids submitted will be carefully considered and the bid selected will be for the most cost-effective service or equipment offering, with price being the primary factor, and will be the most cost-effective means of meeting educational needs and technology plan goals. I certify that I will retain required documents for a period of at least five years after the last day of service delivered. I certify that I will retain all documents necessary to demonstrate compliance with the statute and Commission rules regarding the application for, receipt of, and delivery of services receiving schools and libraries discounts. I acknowledge that I may be audited pursuant to participation in the schools and libraries program.

22. ☒ I certify that the services the applicant purchases at discounts provided by 47 U.S.C. Sec. 254 will be used solely for educational purposes and will not be sold, resold, or transferred in consideration for money or any other thing of value, except as permitted by the Commission's rules at 47 C.F.R. Sec. 54.500(k). Additionally, I certify that the entity or entities listed on this application have not received anything of value or a promise of anything of value, other than the services and equipment sought by means of this form, from the service provider, or any representative or agent thereof or any consultant in connection with this request for services.

23. ☒ I acknowledge that support under this support mechanism is conditional upon the school(s) and/or library(ies) I represent securing access, separately or through this program, to all of the resources, including computers, training, software, internal connections, maintenance, and electrical capacity necessary to use the services purchased effectively. I recognize that some of the aforementioned resources are not eligible for support.

24. ☒ I certify that I am authorized to order telecommunications and other supported services for the eligible entity(ies). I certify that I am authorized to submit this request on behalf of the eligible entity (ies) listed on this application, that I have examined this request, and to the best of my knowledge, information, and belief, all statements of fact contained herein are true.

25. ☒ I certify that I have reviewed all applicable state and local procurement/competitive bidding requirements and that I have complied with them. I acknowledge that persons willfully making false statements on this form can be punished by fine or forfeiture, under the Commissions Act, 47 U.S.C. Secs. 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. Sec. 1001.

26. ☒ I acknowledge that FCC rules provide that persons who have been convicted of criminal violations or held civilly liable for certain acts arising from their participation in the schools and libraries support mechanism are subject to suspension and debarment from the program.

27. Signature of authorized person: ☒

28. Date (mm/dd/yyyy): 12/12/2006

29. Printed name of authorized person: L. MCLEAN KING

30. Title or position of authorized person: SUPERINTENDENT OF SCHOOLS

31a. Address of authorized person: 11925 Rising Sun Way  
Suite 100  
City: Gold River State: CA Zip: 95670-8388

31b. Telephone number of authorized person: (760) 944 - 4300 ext. 1111

31c. Fax number of authorized person: (760) 9427094

31d. E-mail address number of authorized person: **LKING@EUSD.NET**

31e. Name of authorized person's employer: **ENCINITAS UNION SCH DIST**

**Service provider involvement with preparation or certification of a Form 470 can taint the competitive bidding process and result in the denial of funding requests. For more information, refer to the SLD web site at [www.sl.universalservice.org](http://www.sl.universalservice.org) or call the Client Service Bureau at 1-888-203-8100.**

**NOTICE:** Section 54.504 of the Federal Communications Commission's rules requires all schools and libraries ordering services that are eligible for and seeking universal service discounts to file this Description of Services Requested and Certification Form (FCC Form 470) with the Universal Service Administrator. 47 C.F.R. § 54.504. The collection of information stems from the Commission's authority under Section 254 of the Communications Act of 1934, as amended. 47 U.S.C. § 254. The data in the report will be used to ensure that schools and libraries comply with the competitive bidding requirement contained in 47 C.F.R. § 54.504. All schools and libraries planning to order services eligible for universal service discounts must file this form themselves or as part of a consortium.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

The FCC is authorized under the Communications Act of 1934, as amended, to collect the information we request in this form. We will use the information you provide to determine whether approving this application is in the public interest. If we believe there may be a violation or a potential violation of any applicable statute, regulation, rule or order, your application may be referred to the Federal, state, or local agency responsible for investigating, prosecuting, enforcing, or implementing the statute, rule, regulation or order. In certain cases, the information in your application may be disclosed to the Department of Justice or a court or adjudicative body when (a) the FCC; or (b) any employee of the FCC; or (c) the United States Government is a party of a proceeding before the body or has an interest in the proceeding. In addition, information provided in or submitted with this form or in response to subsequent inquiries may also be subject to disclosure consistent with the Communications Act of 1934, FCC regulations, the Freedom of Information Act, 5 U.S.C. § 552, or other applicable law.

If you owe a past due debt to the federal government, the information you provide may also be disclosed to the Department of the Treasury Financial Management Service, other Federal agencies and/or your employer to offset your salary, IRS tax refund or other payments to collect that debt. The FCC may also provide the information to these agencies through the matching of computer records when authorized.

If you do not provide the information we request on the form, the FCC may delay processing of your application or may return your application without action.

The foregoing Notice is required by the Paperwork Reduction Act of 1995, Pub. L. No. 104-13, 44 U.S.C. § 3501, et seq.

Public reporting burden for this collection of information is estimated to average 4 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing, and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the reporting burden to the Federal Communications Commission, Performance Evaluation and Records Management, Washington, DC 20554.

Please submit this form to:

**SLD-Form 470**

**P.O. Box 7026**

**Lawrence, Kansas 66044-7026**

**1-888-203-8100**

For express delivery services or U.S. Postal Service, Return Receipt Requested, mail this form to:

**SLD Forms**

**ATTN: SLD Form 470**

**3833 Greenway Drive**

**Lawrence, Kansas 66046**

**1-888-203-8100**

FCC Form 470  
October 2004

[New Search](#)

[Return To Search Results](#)

### **Exhibit 3**



*Technology for the 21st Century School*



*Wait-Thompson & Associates (WTA)*

*DISTRICT TELECOMMUNICATIONS SERVICE*

*REQUEST FOR PROPOSALS: FIBER OPTIC WIDE AREA NETWORK (F-WAN)*

***ENCINITAS UNION SCHOOL DISTRICT  
101 S. RANCHO SANTA FE ROAD  
ENCINITAS, CA 92024-4349***

***DECEMBER 11, 2006***

11925 Rising Sun Way, Suite 100, Gold River, CA 95670-8388, Off: 916.852.0856 / Fax: 916.851.9617

WTA Web Site: <http://www.wait-thompson.com>

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## ***ENCINITAS UNION SCHOOL DISTRICT***

*101 S. Rancho Santa Fe Road  
Encinitas, CA 92024-4349*

### ***Request for Proposals: Fiber Optic Wide Area Network Service***

#### ***E-Rate/RFP Contact Person***

*Carl E. Thompson, E-Rate Consultant  
Office: 916.852.0856  
Cell: 916.813.2549  
E-Mail: cthompson@eusd.net*

#### ***EUSD Purchasing Department***

*Andrea Matusek, Purchasing Supervisor  
Office: 760.944.4300 / Ext: 1175  
E-Mail: amatussek@eusd.net*

*Vendor contact with District personnel is limited to the above, and the individual mentioned in A.12 below.*

***RFP Due Date:*** *To be considered, proposals MUST be received by the Purchasing Supervisor not later than Thursday, January 11, 2007, at 10:00AM.*

***Requested Service:*** *Provision of district-wide **Fiber Optic Wide Area Network Service (F-WAN)**. F-WAN must offer 5Mbps-100Mbps scalable bandwidth between the District Office (Hub), each of the District's nine (9) school sites, and the San Diego County Office of Education (SDCOE), the District's ISP. F-WAN must permit Point - Point, Point - Multi-Point, and Multi-Point - Multi-Point service.*

*Refer to Appendices/Attachments for site locations, initial bandwidth requirements, schedule of costs, MDF locations, and **E-Rate Form 470** (MDF drawings are not scaled and only intended to identify MDF locations).*

#### ***A. Overview***

*F-WAN will improve network reliability and provide bandwidth scalability by upgrading from copper based T-1 to broadband optical services.*

*F-WAN will provide a switched Ethernet wide area network (WAN). F-WAN will offer Layer 2 Ethernet connectivity for transparently interconnecting local area networks (LANs) throughout the District.*

*F-WAN features must include:*

- a. 10/100 MB Ethernet physical connections at each of the nine (9) remote school site locations. Each 10/100 MB connection site must be capable of bandwidths ranging from 5Mbps to 100Mbps.*
- b. At the District Office (DO), One, 1 Gigabit Ethernet physical connection (Network Hub). This 1 Gigabit connection shall act as a single user network interface upon which virtual connections to the nine (9) remote sites will be multiplexed. The connection must be capable of supporting bandwidths from 5Mbps to 1 Gigabit. Bandwidth requirements must be equal to or greater than the total bandwidth of remote sites.*
- c. Ethernet Virtual Circuits (EVC) must provide connectivity between each of the nine (9) remote school sites and the single 1 Gigabit circuit at the Network Hub.*

#### ***B. Basic Requirements / Conditions***

- 1. Responding vendors must be currently certified by the California Public Utilities Commission (CPUC) to provide services under the California Teleconnect Fund (CTF) program.*
- 2. Vendor product/service solutions must be currently eligible for CTF reimbursement.*
- 3. Vendor must be E-Rate Certified and possess a valid Service Provider Identification Number (SPIN).*
- 4. Vendor must offer three (3) and five (5) year contract options.*

## Request for Proposals: Fiber Optic Wide Area Network Service (F-WAN)

5. Vendor must have an *Account Support Team* and *Maintenance/Repair Crew* located within a 25 mile radius of the *District Office*.
6. Acceptance of service as described in this *RFP* is subject to availability of funding from *E-Rate*, *CTF*, and *District* sources.
7. Vendor must provide detailed and summary costs per circuit/link for both initial and [future] incremental bandwidth: *Installation / Recurring / Other*.
8. Prices must remain firm through the *SLD approval process* and duration of the proposed contract. In the event of a price decrease for service, the decrease shall be passed on to the *District* and documented with a new price sheet sent to *EUSD – Purchasing Supervisor*.
9. Any vendor, who contacts an *Encinitas Union School District Board of Education* member during the *RFP* process, will be automatically disqualified from further consideration for the *RFP* award.
10. The *Board of Education* reserves the right to reject any and all bids/proposals, or any or all items of any bid/proposal.
11. Vendors must submit their *RFP* response in both printed (3-copies) and electronic form (*PDF* format).
12. Vendors must contact *Gerry Devitt, Director, Maintenance and Operations* (760.518.6890) to arrange for site access.
13. *F-WAN* circuits must be terminated in the *MDF* at each site. Routing and installation of all circuits shall be the responsibility of the vendor. Site *MDF* location drawings are attached.

### C. Additional Requirements / Conditions

1. How long has your firm been providing this type of service to organizations similar to the district.
2. Submit company and contact person names for three (3) organizations using similar services provided by your firm for three (3) or more years.
3. Provide an expansive conceptional-functional description of your proposed service solution.
4. Describe the core network infrastructure that supports your service.
5. Describe the method and technology you use to interconnect multiple locations to a single host location.
6. Provide detailed descriptions and network diagrams of your proposed network solution.
7. Describe in detail your *Service Level Guarantees/Agreements (SLG/A)* specific to *Network Availability, Packet Delivery, Latency, and Jitter*.
8. What are the penalties to be assessed against your firm for failing to meet *SLG/A*'s?
9. How are *SLG/A* penalties triggered?
10. How do you provide *Quality of Service (QoS)*?
11. Describe and list your *QoS* levels and their specifications.
12. Describe in detail how your proposed service solution is monitored and managed. List tasks and activities. If your proposed service solution is not monitored and managed, please explain why.
13. What *Bandwidth Options/Increments (BOI)* are you offering?
14. What is the physical handoff provided by your terminating equipment?
15. Describe the process to increase bandwidth on an individual circuit/link.
16. For each circuit/link, what [end user] equipment/device is required to connect to your service?
17. Are your proposed *Ethernet* solutions compliant with the *Metro Ethernet Forum's (MEF)* global *Carrier Ethernet Service (CES)* definitions?
18. Describe your trouble reporting and escalation procedures.
19. Describe your hours of operation and procedures for help/trouble reporting/maintenance support.

**Request for Proposals: Fiber Optic Wide Area Network Service (F-WAN)**

**20. Appendices:**

**Site Location / Initial Bandwidth Requirements**

**Appendix A**

<i>School/Site Name</i>	<i>Street Address</i>	<i>City/State/Zip</i>	<i>Connection</i>	<i>Bandwidth</i>
District Office	101 S. Rancho Santa Fe Rd	Encinitas, CA 92024	1000 Base SX	180Mbps
Capri	941 Capri Road	Encinitas, CA 92024	10/100 Base T	20Mbps
El Camino Creek	7885 Paseo Aliso	Carlsbad, CA 92009	10/100 Base T	20Mbps
Flora Vista	1690 Wandering Road	Encinitas, CA 92024	10/100 Base T	20Mbps
La Costa Heights	3035 Levante Street	Carlsbad, CA 92009	10/100 Base T	20Mbps
Mission Estancia	3330 Calle Barcelona	Carlsbad, CA 92009	10/100 Base T	20Mbps
Ocean Knoll	910 Melba Road	Encinitas, CA 92024	10/100 Base T	20Mbps
Olivenhain Pioneer	8000 Calle Acervo	Carlsbad, CA 92009	10/100 Base T	20Mbps
Park Dale Lane	2050 Park Dale Lane	Encinitas, CA 92024	10/100 Base T	20Mbps
Paul Ecke Central	185 Union Street	Encinitas, CA 92024	10/100 Base T	20Mbps
SDCOE*	6401 Linda Vista Rd	San Diego, CA 92111	10/100 Base T	20Mbps

**Initial Bandwidth Requirements / Schedule of Costs**

**Appendix B**

<i>School/Site Name</i>	<i>Connection</i>	<i>Install</i>	<i>Monthly</i>	<i>Other</i>	<i>Bandwidth</i>	<i>Install</i>	<i>Monthly</i>	<i>Other</i>
District Office	1000 Base SX				180Mbps			
Capri	10/100 Base T				20Mbps			
El Camino Creek	10/100 Base T				20Mbps			
Flora Vista	10/100 Base T				20Mbps			
La Costa Heights	10/100 Base T				20Mbps			
Mission Estancia	10/100 Base T				20Mbps			
Ocean Knoll	10/100 Base T				20Mbps			
Olivenhain Pioneer	10/100 Base T				20Mbps			
Park Dale Lane	10/100 Base T				20Mbps			
Paul Ecke Central	10/100 Base T				20Mbps			
SDCOE*	10/100 Base T				20Mbps			

**Total Costs**

**Note: a.** Cost information must be submitted in the above format.

**b.** For future site location bandwidth increases, a separate table showing available **Incremental Bandwidth and Monthly Rates** must also be provided.

\* San Diego County Office of Education (SDCOE)

**D. Miscellaneous General Conditions**

1. **BID FORM REQUIREMENTS.** The Bidder shall indicate on the Bid Form the unit price for each item listed and the total price for furnishing the total quantity of each item. All prices and notations must be typed or written in ink. Bids shall not be written in pencil. Mistakes may be crossed out and corrections inserted adjacent, but the correction shall be initialed in ink by the person signing the proposal. No corrections can be made after the time for opening bids.
2. **ACCEPTANCE OR REJECTION OF BIDS.** The Board of Education reserves the right to reject any and all bids, or any or all items of any bid, or waive any irregularity of any bid. No bid may be withdrawn for a period of ninety (90) days without the prior written approval of the District.



Request for Proposals: Fiber Optic Wide Area Network Service (F-WAN)

3. **BRANDS.** When a particular brand or brand and number are named in connection with any item, it is named as a standard of quality and utility only. A *Bidder* may submit a bid to furnish an item other than that named, but the item offered by the Bidder must state in the *Bid Form* the brand with its number, if any, which he will furnish. The *District* shall be the sole judge of whether an offered item is the equal of the named item. If the Bidder fails to write in the brand and number of the item to be furnished, it is understood the bidder will furnish the item named by the *District* as the standard of quality and utility.
4. **SAMPLES.** Where the *Bidder* quotes on a brand named as a standard of the quality and utility desired, a sample of the item will not be required unless specifically requested. If the bid submitted is on any other brand or make than that so named, a sample thereof must be furnished, if requested, or the bid on the item will not be considered. The sample submitted shall be the exact item the *Bidder* proposes to furnish. Samples of items, when requested, must be furnished free of expense to the *District*.
5. **FEDERAL OR STATE REGULATIONS.** The *Bidder's* proposal and any contract entered into are subject to all applicable statutes of the *United States* or of the *State* and all applicable regulations and orders of the *Federal* or *State* governments now in effect or which shall be in effect during the period of such contract.
6. **ASSIGNMENT PROHIBITED.** No contract awarded under this proposal shall be assigned without the approval of the *Board of Education*. Any attempted assignment in violation of the provision shall be voidable at the option of the *Board of Trustees*.
7. **PATENT RIGHTS, COPYRIGHTS, AND TRADEMARKS.** The *Bidder* shall save, keep, bear harmless, and fully indemnify the *District*, its officers or agents from all damages, or claims for damages, costs, or expenses in law or equity that may at any time arise or be set up for any infringement of the patent rights, copyrights, or trademarks of any person in consequence of the use by the *District*, or by any of its officers or agents of items to be supplied by the *Bidder*.
8. **DELIVERY.** All items shall be delivered in quantities specified in the contract *F.O.B.*, at the points within the *Encinitas Union School District* as specified in the contract. Deliveries in advance of the time specified in the contract shall not be accepted unless the *Bidder* has obtained prior approval from the *District*. Unless otherwise specified, if an item is not delivered as specified in the contract or if the *Bidder* delivers an item which does not conform to the *Specifications*, the *Board of Trustees* may, at its option, annul and set aside the contract, either in whole or in part, and may enter into a new contract in accordance with law for furnishing such item. Any additional cost or expense incurred by the *District* in the making of such contract or any additional cost of supplying an item by reason of the failure of the *Bidder*, as described in this paragraph, shall be paid by the *Bidder* or his surety.
9. **INSPECTION OF ITEMS FURNISHED.** All items furnished shall be subject to inspection and rejection by the *District* for defects or non-compliance with the specifications. The cost of inspection on deliveries or offers for delivery which do not meet spec's may be deducted from the contract price.
10. **INABILITY TO PERFORM.** In the event that *Bidder* is prevented from making delivery or otherwise performing on time as specified in the contract by fire, flood, earthquake, labor or transportation problems, war, acts of government, or any other similar cause commonly known as an act of *God*, which is not the fault of the *Bidder*, the *Bidder* shall not be required to deliver or perform, subject to the following requirements:
  - a. The *Bidder* shall send written notice to the *District* of the *Bidder's* inability to perform in accordance with the contract. The notice shall contain all facts which show the condition which prevents performance. The *Bidder* shall send such notice as soon as possible but in no event later than the fifth (5th) day following the date of issuance of a purchase order by the *District* or no later than the date specified in the contract for delivery or other performance, whichever is applicable.
  - b. The *District* may cancel the contract or purchase order, entirely or in part.

*Request for Proposals: Fiber Optic Wide Area Network Service (F-WAN)*

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- c. The *Bidder* shall not make any delivery or otherwise attempt to perform under the contract except on the basis of issuance by the *District* of a new purchase order or other written instruction.
- 11. *WARRANTY-PRODUCT.* *Seller* warrants that all articles furnished shall be free from all defects of material and workmanship, that all articles shall be fit and sufficient for the purposes intended, and shall save, keep, bear harmless and fully indemnify the *District* it's officers, employees or agents from all damages, or claims for damages, costs or expenses in law or equity that may at any time arise from *Buyers* normal use.
- 12. *EQUAL OPPORTUNITY EMPLOYMENT.* *Bidder*, in submitting his proposal certifies that he is an *Equal Opportunity Employer*, and certifies that he is in compliance with the *Civil Rights Act of 1964*, the *State Fair Employment Practice Act*, and all other applicable *Federal* and *State* laws and regulations relating to equal opportunity employment, including *Executive Order No. 11246 of September 24, 1965*.

**470**

# Schools and Libraries Universal Service Description of Services Requested and Certification Form

Estimated Average Burden Hours Per Response: 4.0 hours

This form is designed to help you describe the eligible telecommunications-related services you seek so that this data can be posted on the Fund Administrator website and interested service providers can identify you as a potential customer and compete to serve you.

Please read instructions before beginning this application.

(To be completed by entity that will negotiate with providers.)

**Block 1: Applicant Address and Identifications**

Form 470 Application Number: 801210000602237

Applicant's Form Identifier: EUSD-F470-Yr10

Application Status: CERTIFIED

Posting Date: 12/07/2006

Allowable Contract Date: 01/04/2007

Certification Received Date: 12/12/2006

**1. Name of Applicant:**

ENCINITAS UNION ELEM SCH DIST

**2. Funding Year:**

07/01/2007 - 06/30/2008

**3. Your Entity Number**

143637

**4a. Applicant's Street Address, P.O.Box, or Route Number**

101 S RANCHO SANTA FE RD

City

ENCINITAS

State

CA

Zip Code

92024-4349

**b. Telephone number**

ext.

(760) 944- 4300

1110

**c. Fax number**

(760) 942- 7094

**5. Type Of Applicant**

Individual School (individual public or non-public school)



School District (LEA;public or non-public[e.g., diocesan] local district representing multiple schools)



Library (including library system, library outlet/branch or library consortium as defined under LSTA)



Consortium (intermediate service agencies, states, state networks, special consortia of schools and/or libraries)

**6a. Contact Person's Name:** Carl E. Thompson

First, if the Contact Person's Street Address is the same as in Item 4 above, check this box. If not, please complete the entries for the Street Address below.

**6b. Street Address, P.O.Box, or Route Number**

11925 Rising Sun Way

Suite 100

City

Gold River

State

CA

Zip Code

95670-8388

Check the box next to your preferred mode of contact and provide your contact information. One box **MUST** be checked and an entry provided.

☒ 6c. Telephone Number (916) 813- 2549

☒ 6d. Fax Number (916) 851- 9617

☒ 6e. E-mail Address cthompson@eusd.net

## Block 2: Summary Description of Needs or Services Requested

### 7 This Form 470 describes (check all that apply):

a. ☒ Tariffed or month-to-month services to be provided without a written contract. A new Form 470 must be filed for non-contracted tariffed or month-to-month services for each funding year.

b. ☒ Services for which a new written contract is sought for the funding year in Item 2.  
Check if you are seeking ☒ a multi-year contract and/or ☒ a contract featuring voluntary extensions

c. ☒ A multi-year contract signed on or before 7/10/97 but for which no Form 470 has been filed in a previous funding year.

**NOTE:** Services that are covered by a signed, written contract executed pursuant to posting of a Form 470 in a previous funding year OR a contract signed on/before 7/10/97 and previously reported on a Form 470 as an existing contract do NOT require filing of a new Form 470.

**What kinds of service are you seeking: Telecommunications Services, Internet Access, Internal Connections Other than Basic Maintenance, or Basic Maintenance of Internal Connections? Refer to the Eligible Services List at [www.sl.universalservice.org](http://www.sl.universalservice.org) for examples. Check the relevant category or categories (8, 9, 10 and/or 11 below), and answer the questions in each category you select.**

### 8 ☒ Telecommunications Services

***Do you have a Request for Proposal (RFP) that specifies the services you are seeking ? If you check YES, your RFP must be available to all interested bidders for at least 28 days. If you check YES and your RFP is not available to all interested bidders, or if you check NO and you have or intend to have an RFP, you risk denial of your funding requests.***

a ☒ **YES**, I have released or intend to release an RFP for these services. It is available or will become available on the Web at at or via (check one):

☒ the Contact Person in Item 6 or ☒ the contact listed in Item 12.

b ☒ **NO**, I have not released and do not intend to release an RFP for these services.

**Whether you check YES or NO, you must list below the Telecommunications Services you seek. Specify each service or function (e.g., local voice service) and quantity and/or capacity (e.g., 20 existing lines plus 10 new ones). See the Eligible Services List at [www.sl.universalservice.org](http://www.sl.universalservice.org) for examples of eligible Telecommunications services. Remember that only eligible telecommunications providers can provide these services under the universal service support mechanism. Attach additional lines if needed.**

c ☒ Check this box if you prefer discounts on your bill.

☒ Check this box if you prefer reimbursement after paying your bill in full.

☒ Check this box if you do not have a preference.

### Service or Function:

Fiber Optic Wide Area Network Service (F-WAN)

### Quantity and/or Capacity:

Connecting: District Office (Hub) / 9 School Sites / San Diego County Office of Education (SDCOE)

9 ☐ Internet Access

*Do you have a Request for Proposal (RFP) that specifies the services you are seeking ? If you check YES, your RFP must be available to all interested bidders for at least 28 days. If you check YES and your RFP is not available to all interested bidders, or if you check NO and you have or intend to have and RFP, you risk denial of your funding requests.*

a ☐ YES, I have released or intend to release an RFP for these services. It is available or will become available on the Web at or via (check one):

☐ the Contact Person in Item 6 or ☐ the contact listed in Item 12.

b ☐ NO , I have not released and do not intend to release an RFP for these services.

**Whether you check YES or NO, you must list below the Internet Access Services you seek. Specify each service or function (e.g., monthly Internet service) and quantity and/or capacity (e.g., for 500 users). See the Eligible Services List at [www.sl.universalservice.org](http://www.sl.universalservice.org) for examples of eligible Telecommunications services. Remember that only eligible telecommunications providers can provide these services under the universal service support mechanism. Attach additional lines if needed.**

c ☐ Check this box if you prefer discounts on your bill.

☐ Check this box if you prefer reimbursement after paying your bill in full.

☐ Check this box if you do not have a preference.

10 ☐ Internal Connections Other than Basic Maintenance

*Do you have a Request for Proposal (RFP) that specifies the services you are seeking ? If you check YES, your RFP must be available to all interested bidders for at least 28 days. If you check YES and your RFP is not available to all interested bidders, or if you check NO and you have or intend to have and RFP, you risk denial of your funding requests.*

a ☐ YES, I have released or intend to release an RFP for these services. It is available or will become available on the Web at or via (check one):

☐ the Contact Person in Item 6 or ☐ the contact listed in Item 12.

b ☐ NO , I have not released and do not intend to release an RFP for these services.

**Whether you check YES or NO, you must list below the Internal Connections Services you seek. Specify each service or function (e.g., a router, hub and cabling) and quantity and/or capacity (e.g., connecting 1 classroom of 30 students). See the Eligible Services List at [www.sl.universalservice.org](http://www.sl.universalservice.org) for examples of eligible Telecommunications services. Remember that only eligible telecommunications providers can provide these services under the universal service support mechanism. Attach additional lines if needed.**

c ☐ Check this box if you prefer discounts on your bill.

☐ Check this box if you prefer reimbursement after paying your bill in full.

☐ Check this box if you do not have a preference.

11 ☐ Basic Maintenance of Internal Connections

*Do you have a Request for Proposal (RFP) that specifies the services you are seeking ? If you check YES, your RFP must be available to all interested bidders for at least 28 days. If you check YES and your RFP is not available to all interested bidders, or if you check NO and you have or intend to have and RFP, you risk denial of your funding requests.*

a ☐ YES, I have released or intend to release an RFP for these services. It is available or will become available on the Web at or via (check one):

☐ the Contact Person in Item 6 or ☐ the contact listed in Item 12.

b ☐ NO , I have not released and do not intend to release an RFP for these services.

Whether you check YES or NO, you must list below the Basic Maintenance Services you seek. Specify each service or function (e.g., basic maintenance of routers) and quantity and/or capacity (e.g., for 10 routers). See the Eligible Services List at [www.sl.universalservice.org](http://www.sl.universalservice.org) for examples of eligible Telecommunications services. Remember that only eligible telecommunications providers can provide these services under the universal service support mechanism. Attach additional lines if needed.

☐ Check this box if you prefer discounts on your bill.

☐ Check this box if you prefer reimbursement after paying your bill in full.

☐ Check this box if you do not have a preference.

12 (Optional) Please name the person on your staff or project who can provide additional technical details or answer specific questions from service providers about the services you are seeking. This need not be the contact person listed in Item 6 nor the Authorized Person who signs this form.

Name:

Carl E. Thompson

Title:

E-Rate Coordinator

Telephone number

(916) 813 - 2549

Fax number

(916) 851 - 9617

E-mail Address

cthompson@eusd.net

13a. ☒ Check this box if there are any restrictions imposed by state or local laws or regulations on how or when service providers may contact you or on other bidding procedures. Please describe below any such restrictions or procedures, and/or a Web address where they are posted and provide a contact name and telephone number.

RFPs/Bids/Contracts must conform to State of California and Encinitas Union School District (EUSD) Board of Education procurement rules and regulations. Initial contact with District representatives shall be limited to Carl E. Thompson, E-Rate Coordinator (916.813.2549), and Andrea Matusek, Purchasing Supervisor (760.944.4300, Ext: 1175).

☒ Check this box if no state and local procurement/competitive bidding requirements apply to the procurement of services sought on this Form 470.

13b. If you have plans to purchase additional services in future years, or expect to seek new contracts for existing services, you may summarize below (including the likely timeframes). If you are requesting services for a funding year for which a Form 470 cannot yet be filed online, include that information here.

The District requires a multi-year agreement for this service. To be considered, responding vendors must offer Three (3) and Five (5) year contract options.

### Block 3: Technology Resources

14. ☒ Basic telephone service only: If your application is for basic telephone service and voice mail only, check this box and skip to Item 16. Basic telephone service is defined as wireline or wireless single line voice service (local, cellular/PCS, and/or long distance) and mandatory fees associated with such service (e.g., federal and state taxes and universal service fees).

15. Although the following services and facilities are ineligible for support, they are usually necessary to make effective use of the eligible services requested in this application. Unless you indicated in Item 14 that your application is ONLY for basic telephone service, you must check at least one box in (a) through (e). You may provide details for purchases being sought.

- a. Desktop software: Software required ☒ has been purchased; and/or ☐ is being sought.
- b. Electrical systems: ☒ adequate electrical capacity is in place or has already been arranged; and/or ☐ upgrading for additional electrical capacity is being sought.
- c. Computers: a sufficient quantity of computers ☒ has been purchased; and/or ☐ is being sought.
- d. Computer hardware maintenance: adequate arrangements ☒ have been made; and/or ☐ are being sought.
- e. Staff development: ☒ all staff have had an appropriate level of training /additional training has already been scheduled; and/or ☐ training is being sought.
- f. Additional details: Use this space to provide additional details to help providers to identify the services you desire.

#### Block 4: Recipients of Service

##### 16. Eligible Entities That Will Receive Services:

Check the ONE choice (Item 16a, 16b or 16c) that best describes this application and the eligible entities that will receive the services described in this application. You will then list in Item 17 the entity/entities that will pay the bills for these services.

a. ☒ Individual school or single-site library.

b. ☒ Statewide application for (enter 2-letter state code) representing (check all that apply):

- ☒ All public schools/districts in the state:  
☒ All non-public schools in the state:  
☒ All libraries in the state:

If your statewide application includes INELIGIBLE entities, check here. ☐ If checked, complete Item 18.

c. ☒ School district, library system, or consortium application to serve multiple eligible entities:

Number of eligible sites	11
<i>For these eligible sites, please provide the following</i>	
Area Codes (list each unique area code)	Prefixes associated with each area code (first 3 digits of phone number) separate with commas, leave no spaces

619	405,838
760	310,317,420,436,445,505,518,519,522,525,581,632,633,634,703,753,942,

#### 17. Billed Entities

17. Billed Entities: List the entity/entities that will be paying the bills directly to the provider for the services requested in this application. These are known as Billed Entities. At least one line of this item must be completed. If a Billed Entity cited on your Form 471 is not listed below, funding may be denied for the funding requests associated with this Form 470.

Entity	Entity Number
ENCINITAS UNION ELEM SCH DIST	143637

#### 18. Ineligible Participating Entities

List the names of any entity/entities here for whom services are requested that are not eligible for the Universal Service Program.

Ineligible Participating Entity	Area Code	Prefix
---------------------------------	-----------	--------

### Block 5: Certification and Signature

19. ☒ I certify that the applicant includes:(Check one or both.)

- a. ☒ schools under the statutory definitions of elementary and secondary schools found in the **No Child Left Behind Act of 2001, 20 U.S.C.Secs.7081(18) and (38)**, that do not operate as for-profit businesses, and do not have endowments exceeding \$50 million; and/or



b. ☐ libraries or library consortia eligible for assistance from a State library administrative agency under the Library Services and Technology Act of 1996 that do not operate as for-profit businesses and whose budgets are completely separate from any school (including, but not limited to elementary and secondary schools, colleges and universities).

20. ☒ I certify that all of the individual schools, libraries, and library consortia receiving services under this application are covered by technology plans that are written, that cover all 12 months of the funding year, and that have been or will be approved by a state or other authorized body, an SLD-certified technology plan approver, prior to the commencement of service. The plans were written at the following level(s):

- a. ☒ individual technology plans for using the services requested in the application, and/or
- b. ☒ higher-level technology plans for using the services requested in the application, or
- c. ☒ no technology plan needed; application requests basic local, cellular, PCS, and/or long distance telephone service and/or voice mail only

21. ☒ I certify that I will post my Form 470 and (if applicable) make my RFP available for at least 28 days before considering all bids received and selecting a service provider. I certify that all bids submitted will be carefully considered and the bid selected will be for the most cost-effective service or equipment offering, with price being the primary factor, and will be the most cost-effective means of meeting educational needs and technology plan goals. I certify that I will retain required documents for a period of at least five years after the last day of service delivered. I certify that I will retain all documents necessary to demonstrate compliance with the status and Commission rules regarding the application for, receipt of, and delivery of services receiving schools and libraries discounts. I acknowledge that I may be audited pursuant to participation in the schools and libraries program.

22. ☒ I certify that the services the applicant purchases at discounts provided by 47 U.S.C. Sec. 254 will be used solely for educational purposes and will not be sold, resold, or transferred in consideration for money or any other thing of value, except as permitted by the Commission's rules at 47 C.F.R. Sec. 54.500(k). Additionally, I certify that the entity or entities listed on this application have not received anything of value or a promise of anything of value, other than the services and equipment sought by means of this form, from the service provider, or any representative or agent thereof or any consultant in connection with this request for services.

23. ☒ I acknowledge that support under this support mechanism is conditional upon the school(s) and/or library(ies) I represent securing access, separately or through this program, to all of the resources, including computers, training, software, internal connections, maintenance, and electrical capacity necessary to use the services purchased effectively. I recognize that some of the aforementioned resources are not eligible for support.

24. ☒ I certify that I am authorized to order telecommunications and other supported services for the eligible entity(ies). I certify that I am authorized to submit this request on behalf of the eligible entity(ies) listed on this application, that I have examined this request, and to the best of my knowledge, information, and belief, all statements of fact contained herein are true.

25. ☒ I certify that I have reviewed all applicable state and local procurement/competitive bidding requirements and that I have complied with them. I acknowledge that persons willfully making false statements on this form can be punished by fine or forfeiture, under the Commissions Act, 47 U.S.C. Secs. 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. Sec. 1001.

26. ☒ I acknowledge that FCC rules provide that persons who have been convicted of criminal violations or held civilly liable for certain acts arising from their participation in the schools and libraries support mechanism are subject to suspension and debarment from the program.

27. Signature of authorized person: ☒

28. Date (mm/dd/yyyy): 12/12/2006

29. Printed name of authorized person: **L. MCLEAN KING**
30. Title or position of authorized person: **SUPERINTENDENT OF SCHOOLS**
- 31a. Address of authorized person: **11925 Rising Sun Way**  
**Suite 100**  
**City: Gold River State: CA Zip: 95670-8388**
- 31b. Telephone number of authorized person: **(760) 944 - 4300 ext. 1111**
- 31c. Fax number of authorized person: **(760) 9427094**
- 31d. E-mail address number of authorized person: **LKING@EUSD.NET**
- 31e. Name of authorized person's employer: **ENCINITAS UNION SCH DIST**

**Service provider involvement with preparation or certification of a Form 470 can taint the competitive bidding process and result in the denial of funding requests. For more information, refer to the SLD web site at [www.sl.universalservice.org](http://www.sl.universalservice.org) or call the Client Service Bureau at 1-888-203-8100.**

**NOTICE:** Section 54.504 of the Federal Communications Commission's rules requires all schools and libraries ordering services that are eligible for and seeking universal service discounts to file this Description of Services Requested and Certification Form (FCC Form 470) with the Universal Service Administrator. 47 C.F.R. § 54.504. The collection of information stems from the Commission's authority under Section 254 of the Communications Act of 1934, as amended. 47 U.S.C. § 254. The data in the report will be used to ensure that schools and libraries comply with the competitive bidding requirement contained in 47 C.F.R. § 54.504. All schools and libraries planning to order services eligible for universal service discounts must file this form themselves or as part of a consortium.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

The FCC is authorized under the Communications Act of 1934, as amended, to collect the information we request in this form. We will use the information you provide to determine whether approving this application is in the public interest. If we believe there may be a violation or a potential violation of any applicable statute, regulation, rule or order, your application may be referred to the Federal, state, or local agency responsible for investigating, prosecuting, enforcing, or implementing the statute, rule, regulation or order. In certain cases, the information in your application may be disclosed to the Department of Justice or a court or adjudicative body when (a) the FCC; or (b) any employee of the FCC; or (c) the United States Government is a party of a proceeding before the body or has an interest in the proceeding. In addition, information provided in or submitted with this form or in response to subsequent inquiries may also be subject to disclosure consistent with the Communications Act of 1934, FCC regulations, the Freedom of Information Act, 5 U.S.C. § 552, or other applicable law.

If you owe a past due debt to the federal government, the information you provide may also be disclosed to the Department of the Treasury Financial Management Service, other Federal agencies and/or your employer to offset your salary, IRS tax refund or other payments to collect that debt. The FCC may also provide the information to these agencies through the matching of computer records when authorized.

If you do not provide the information we request on the form, the FCC may delay processing of your application or may return your application without action.

The foregoing Notice is required by the Paperwork Reduction Act of 1995, Pub. L. No. 104-13, 44 U.S.C. § 3501, et seq.

Public reporting burden for this collection of information is estimated to average 4 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing, and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the reporting burden to the Federal Communications Commission, Performance Evaluation and

Records Management, Washington, DC 20554.

Please submit this form to:

**SLD-Form 470**  
**P.O. Box 7026**  
**Lawrence, Kansas 66044-7026**  
**1-888-203-8100**

For express delivery services or U.S. Postal Service, Return Receipt Requested, mail this form to:

**SLD Forms**  
**ATTN: SLD Form 470**  
**3833 Greenway Drive**  
**Lawrence, Kansas 66046**  
**1-888-203-8100**

FCC Form 470  
November 2004

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# ENCINITAS UNION SCHOOL DISTRICT

Data-Communications / Multi-Media Infrastructure Systems

## District Office Complex

### Network Design Illustrations (Modular Buildings)

Wait-Thompson & Associates, Inc.

2377 Gold Meadow Way, Ste. 100

Gold River, CA 95670-4443

Off: 916.856.0856 / Fax: 916.851.9617

E-Mail: [CThompson@Wait-Thompson.Com](mailto:CThompson@Wait-Thompson.Com)

Prepared

November 23, 2003

Network "Conceptual" Illustration

# District Office Complex

Encinitas Union School District

Building 300 (B) - 1st Floor  
(Existing)

MDF - Main Distribution Frame

IDF - Intermediate Distribution Frame

CATV / Multi-Media

Data Communications

Data Communications / Video Conferencing

Data / Video Conferencing / CATV / Multi-Media

Telephone Instrument

Backbone

Data/Video/Voice

Workstation/Device

Data/Video/Voice

Telephone Demark

CATV Demark

Legend

Created By:

B. Irving/C. Thompson

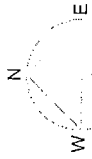
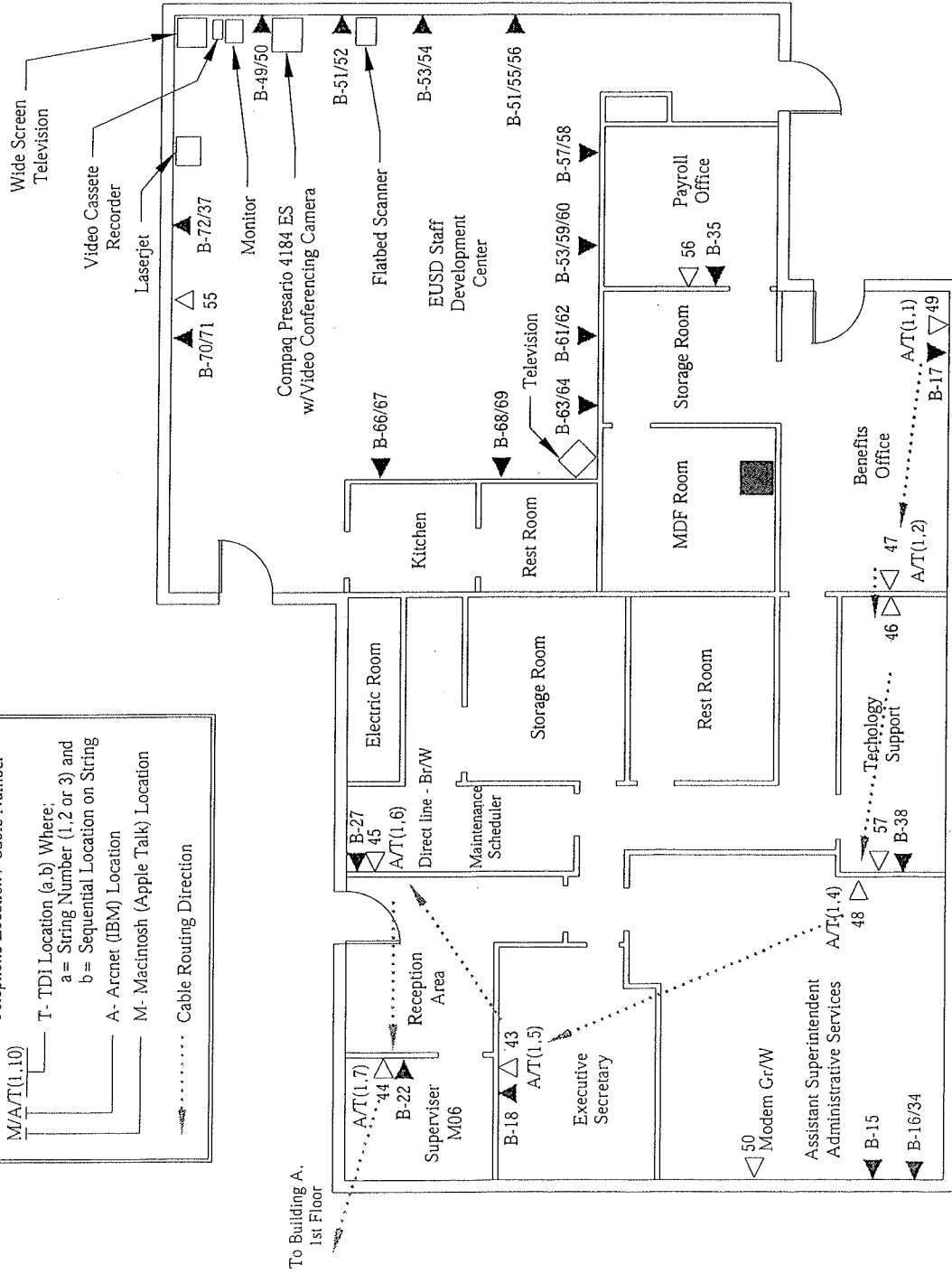
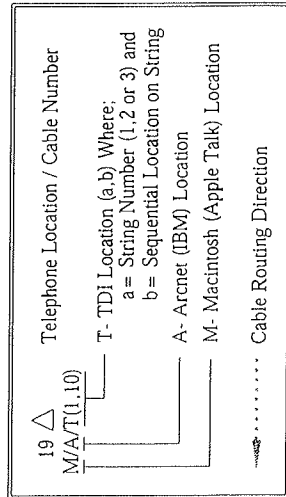
Date:

4/10/98

Prepared By

WTA

"Technology for the 21st Century"™



# ENCINITAS UNION SCHOOL DISTRICT

Data-Communications / Multi-Media Infrastructure Systems

Capri Elementary School

Network Design Illustrations

Wait-Thompson & Associates, Inc.

2377 Gold Meadow Way, Ste. 100

Gold River, CA 95670-4443

Off: 916.856.0856 / Fax: 916.851.9617

E-Mail: [CThompson@Wait-Thompson.Com](mailto:CThompson@Wait-Thompson.Com)

Prepared










November 23, 2003

# Capri Elementary School

of  
Encinitas Union School District

## Campus Site Plan (Proposed)

### Legend

-  MDF - Main Distribution Frame
-  IDF - Intermediate Distribution Frame
-  Standard Multi-Media CTP 2-Category 5 (Data) / 1-Coaxial Cable Ports
-  Enhanced Multi-Media CTP 1-Fiber Optic / 1-Coaxial / 2-Category 5 (Data) Ports
-  Single-Media TV/VCR CTP 1-Coaxial Cable Port
-  Multi-Media TV/VCR CTP 1-Fiber Optic / 2-Category 5 / 1-Coaxial Cable Port
-  Video Conferencing (VC) 1 of the 2 Category 5 Data Ports Connected to the Video Conferencing Network.
-  Backbone Cable Bundle Data/Video/Voice
-  Device Cable Bundle Data/Video/Voice

☐ CATV Demand ☐ Telephone Demand

Created By:  
B. Irving/C. Thompson

Date:  
04/21/00

Prepared by WTA

Technology Planning / Design / Implementation Consultants  
"Technology for the 21st Century School"™

EMail: WTA@Wait-Thompson.com

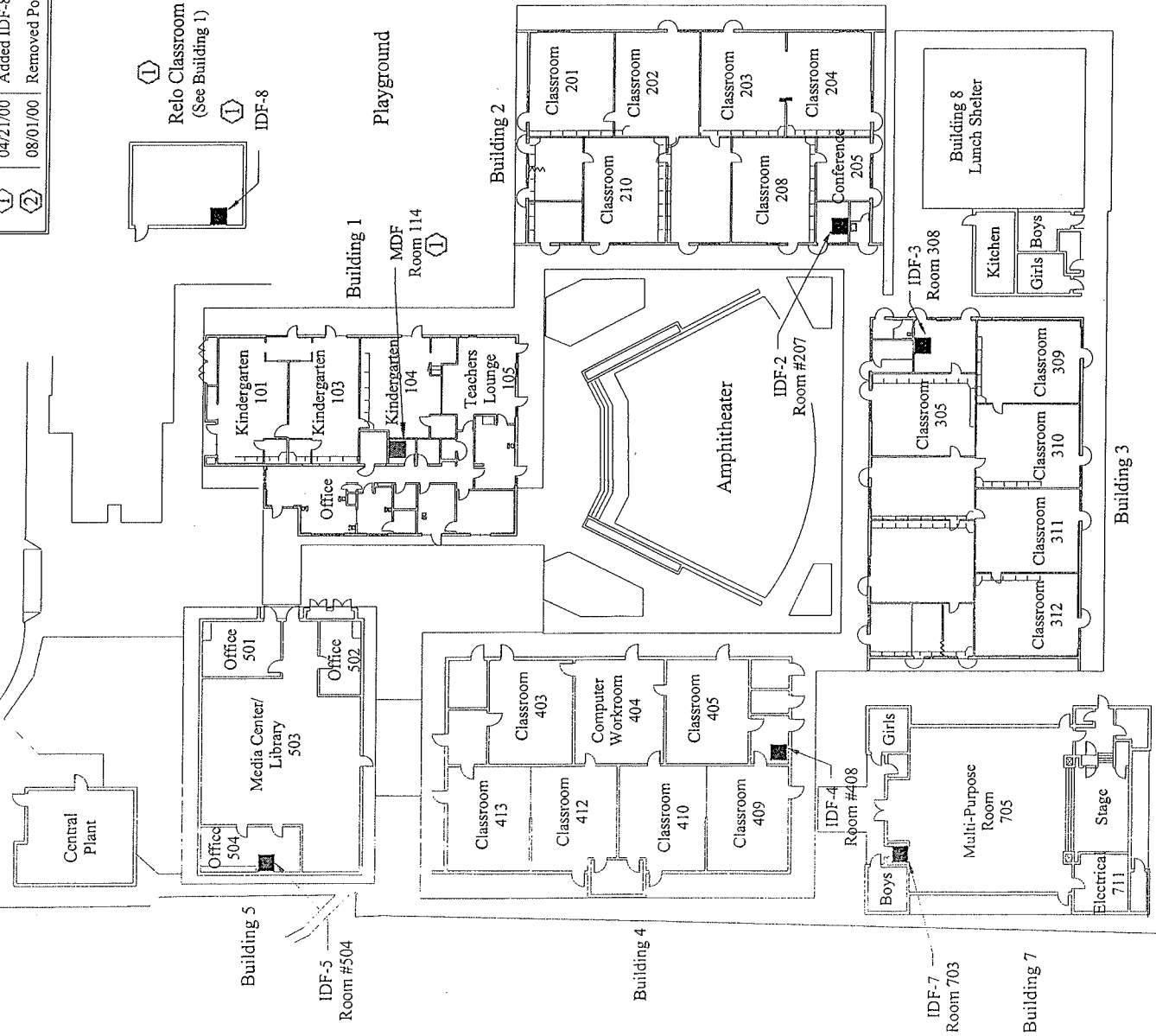
Office: (916) 526-8353 Fax: (916) 851-9617

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### Revision Summary

Revision	Date	Purpose
①	04/21/00	Added IDF-8 & 9, Moved MDF
②	08/01/00	Removed Portable West of Bldg. #4

Parking



# Capri Elementary School

of  
Encinitas Union School District

## Campus Conduit Plan

\* Indicates that 8 Port 10/100 Hub must be provided for this CTP. (49 required throughout campus)

### Revision Summary

Revision	Date	Purpose
①	04/21/00	Located CATV & Tele Demarks & Add three CTP's to Relo Classroom Added CTP's to Rooms #209, 304, 404 and to Portable Classroom. Added IDF-8 and IDF-9. Deleted Portable West Bldg #4
②	08/01/00	Deleted Portable West Bldg #4
③	10/15/00	Deleted/added CTP's & Hubs

### Cable Termination Panel Summary

Standard CTP	38
Standard CTP Video Conferencing	0
Enhanced CTP	54
Enhanced CTP Video Conferencing	0
Television/VCR CTP	1
Multi-Media CTP Television/VCR	30
CTP Totals	123

### Legend

- MDF - Main Distribution Frame
- IDF - Intermediate Distribution Frame
- Standard Multi-Media CTP
- 2-Category 5 (Data) / 1-Coaxial Cable Ports
- Enhanced Multi-Media CTP
- 1-Fiber Optic / 1-Coaxial / 2-Category 5 (Data) Ports
- Single-Media TV/VCR CTP
- 1-Coaxial Cable Port
- Multi-Media TV/VCR CTP
- 1-Fiber Optic / 2-Category 5 / 1-Coaxial Cable Port
- Video Conferencing (VC)
- 1 of the 2 Category 5 Data Ports Connected to the Video Conferencing Network.
- Backbone Cable Bundle
- Data/Video/Voice
- Device Cable Bundle
- Data/Video/Voice

CATV Demark Telephone Demark

Created By:

B. Irving/C. Thompson

Date:

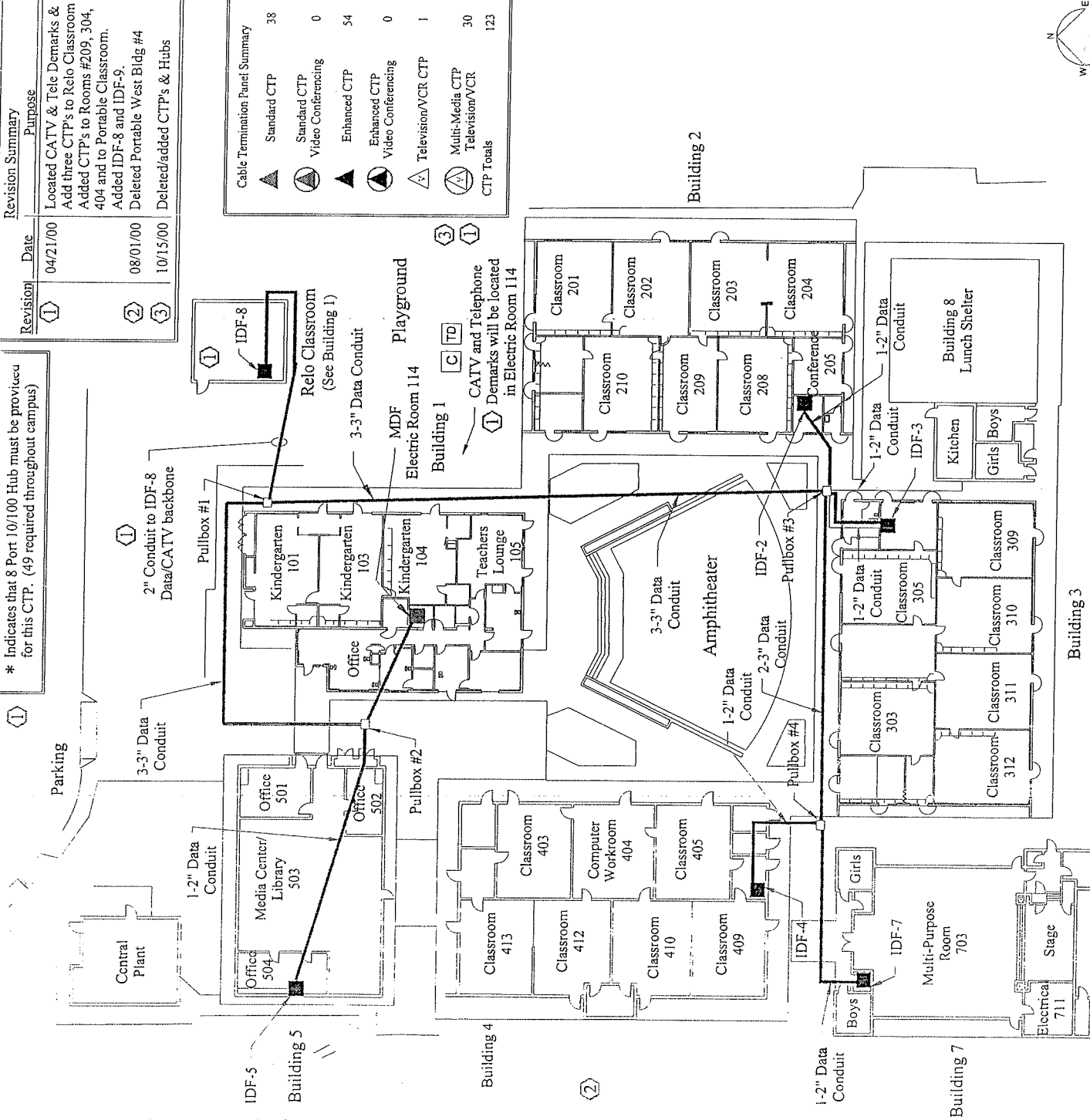
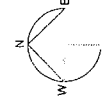
04/21/00 ① ② ③

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E-Mail: WTA@Wait-Thompson.com

Office: (916) 526-8353 Fax: (916) 851-9617





# ENCINITAS UNION SCHOOL DISTRICT

Data-Communications / Multi-Media Infrastructure Systems

## El Camino Creek Elementary School Network Design Illustrations (General Facilities)

Wait-Thompson & Associates, Inc.

2377 Gold Meadow Way, Ste. 100

Gold River, CA 95670-4443

Off: 916.856.0856 / Fax: 916.851.9617

E-Mail: [CThompson@Wait-Thompson.Com](mailto:CThompson@Wait-Thompson.Com)

Prepared  
November 23, 2003









# El Camino Creek Elementary School

of

Encinitas Union School District

## Campus Overview

### Legend

-  MDF - Main Distribution Frame
-  IDF - Intermediate Distribution Frame
-  Standard Multi-Media CTP 2-Category 5 (Data) / 1-Coaxial Cable Ports
-  Enhanced Multi-Media CTP 1-Fiber Optic / 1-Coaxial / 2-Category 5 (Data) Ports
-  Single-Media TV/VCR CTP 1-Coaxial Cable Port
-  Multi-Media TV/VCR CTP 1-Fiber Optic / 2-Category 5 / 1-Coaxial Cable Port
-  Video Conferencing (VC) 1 of the 2 Category 5 Data Ports Connected to the Video Conferencing Network.
-  Backbone Cable Bundle Data/Video/Voice Device Cable Bundle Data/Video/Voice

C CATV Demark TD Telephone Demark

Created By:

B. Irving/C. Thompson

Date:

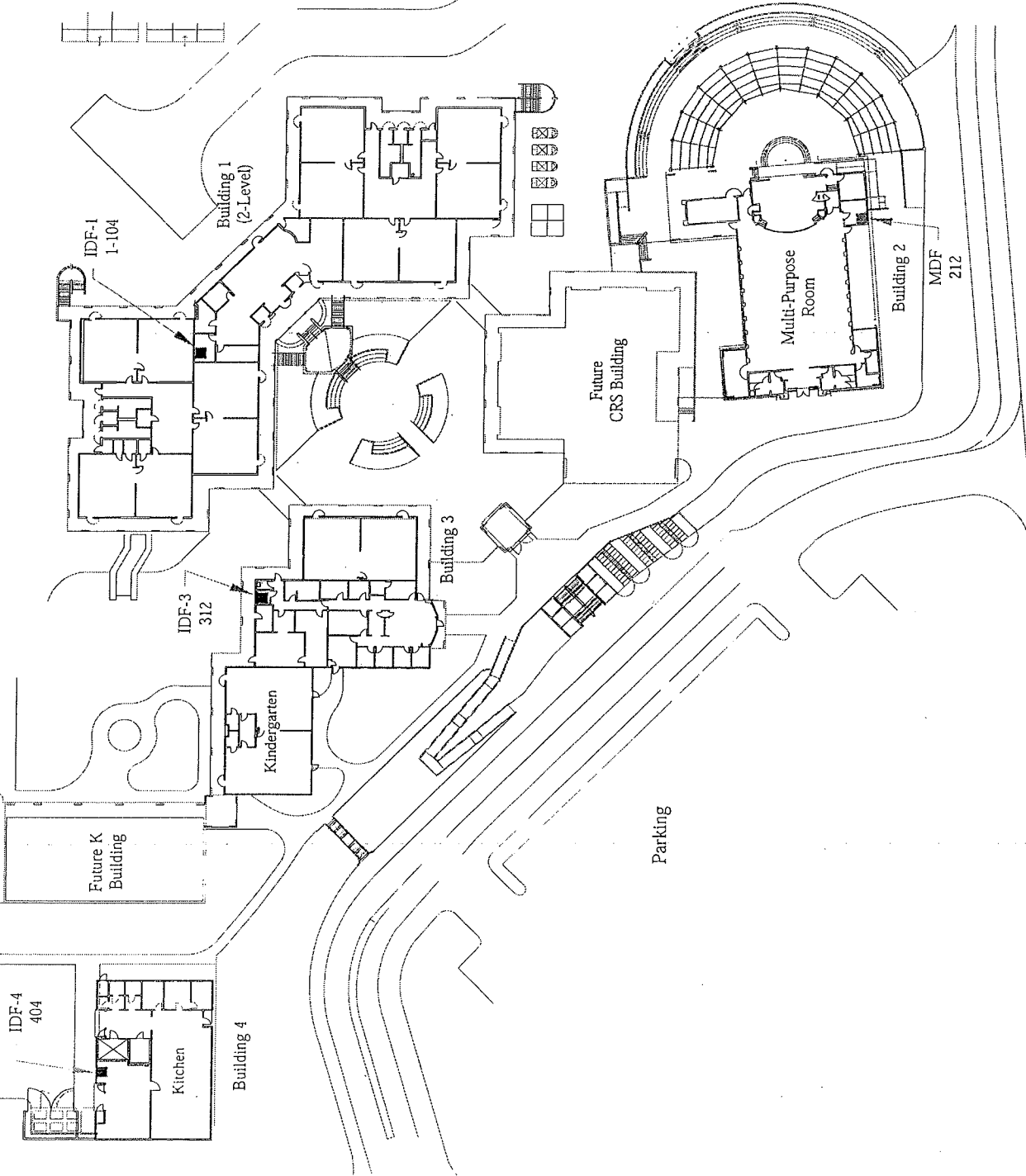
02/16/00

## Prepared by WTA

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E-Mail: WTA@Wait-Thompson.com

Office: (916) 526-8353 Fax: (916) 851-9617












# El Camino Creek Elementary School



of

Encinitas Union School District

## Campus Conduit Illustration

### Legend

-  MDF - Main Distribution Frame
-  IDF - Intermediate Distribution Frame
-  Standard Multi-Media CTP 2-Category 5 (Data) / 1-Coaxial Cable Ports
-  Enhanced Multi-Media CTP 1-Fiber Optic / 1-Coaxial / 2-Category 5 (Data) Ports
-  Single-Media TV/VCR CTP 1-Coaxial Cable Port
-  Multi-Media TV/VCR CTP 1-Fiber Optic / 2-Category 5 / 1-Coaxial Cable Port
-  Video Conferencing (VC) 1 of the 2 Category 5 Data Ports Connected to the Video Conferencing Network.
-  Backbone Cable Bundle Data/Voice/Voice
-  Device Cable Bundle Data/Voice/Voice

 CATV Demand  Telephone Demand

Created By:

B. Irving/C. Thompson

Date:

09/15/00

Prepared by WTA

Technology Planning / Design / Implementation Consultants

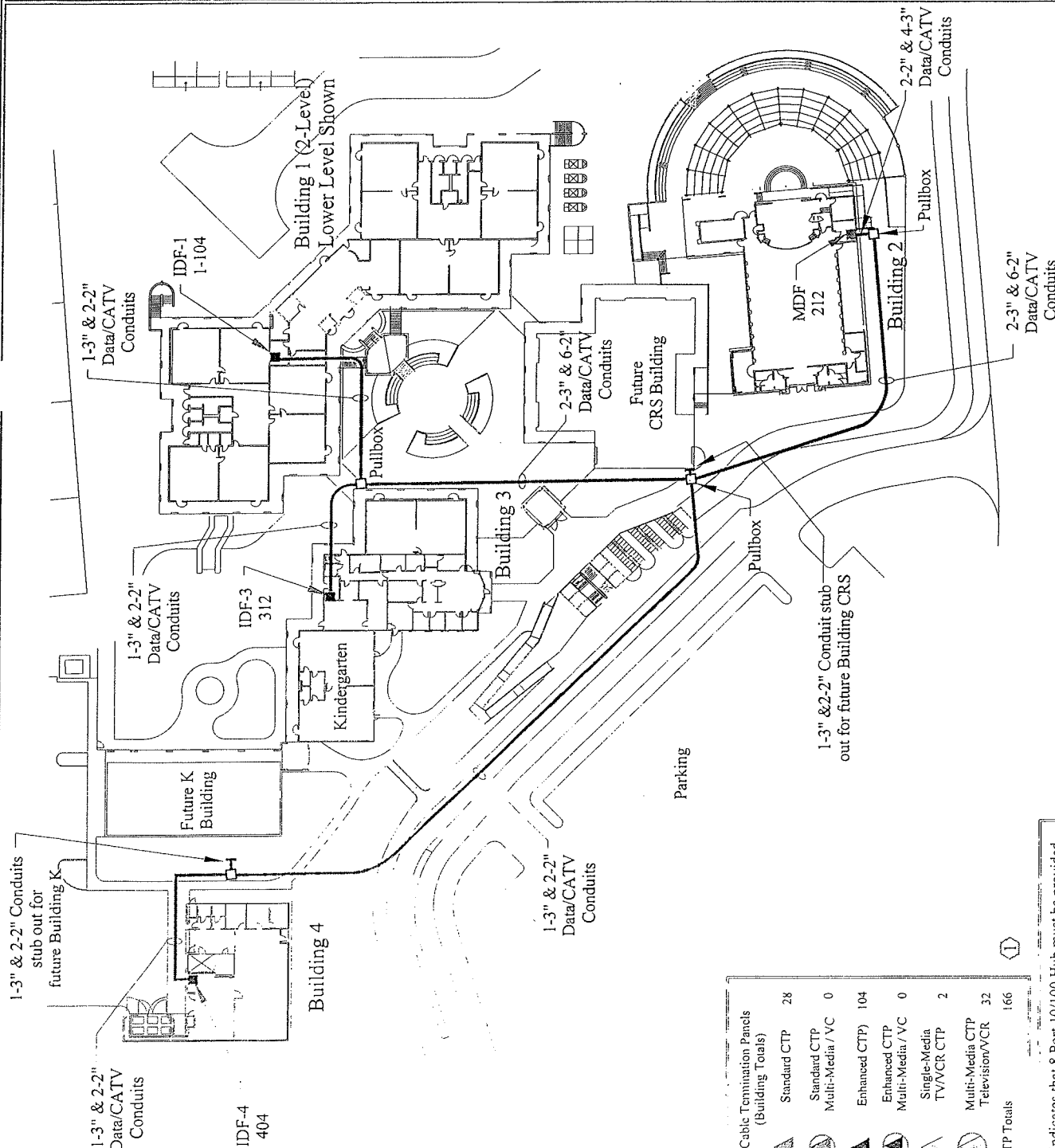
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E-Mail: WTA@Wait-Thompson.com

Office: (916) 526-8353

Fax: (916) 851-9617

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Cable Termination Panels (Building Totals)	
	Standard CTP 28
	Standard CTP Multi-Media / VC 0
	Enhanced CTP 104
	Enhanced CTP Multi-Media / VC 0
	Single-Media TV/VCR CTP 2
	Multi-Media CTP Television/VCR 32
CTP Totals 166	

\* Indicates that 8 Port 10/100 Hub must be provided for this CTP. (54 total required throughout campus)

Revision Summary	
Revision	Purpose
①	04/21/00 Deleted CTP in Room 212

# ENCINITAS UNION SCHOOL DISTRICT

Data-Communications / Multi-Media Infrastructure Systems

Flora Vista Elementary School

Network Design Illustrations

Wait-Thompson & Associates, Inc.

2377 Gold Meadow Way, Ste. 100

Gold River, CA 95670-4443

Off: 916.856.0856 / Fax: 916.851.9617

E-Mail: [CThompson@Wait-Thompson.Com](mailto:CThompson@Wait-Thompson.Com)

Prepared










November 23, 2003

# Flora Vista Elementary School

of  
Encinitas Union School District

## Campus Site Plan (Proposed)

### Legend

-  MDF - Main Distribution Frame
-  IDF - Intermediate Distribution Frame
-  Standard Multi-Media CTP 2-Category 5 (Data) / 1-Coaxial Cable Ports
-  Enhanced Multi-Media CTP 1-Fiber Optic / 1-Coaxial / 2-Category 5 (Data) Ports
-  Single-Media TV/VCR CTP 1-Coaxial Cable Port
-  Multi-Media TV/VCR CTP 1-Fiber Optic / 2-Category 5 / 1-Coaxial Cable Port
-  Video Conferencing (VC) 1 of the 2 Category 5 Data Ports Connected to the Video Conferencing Network
-  Backbone Cable Bundle Data/Video/Voice
-  Device Cable Bundle Data/Video/Voice

C CATV Demark TD Telephone Demark

Created By: B. Irving/C. Thompson

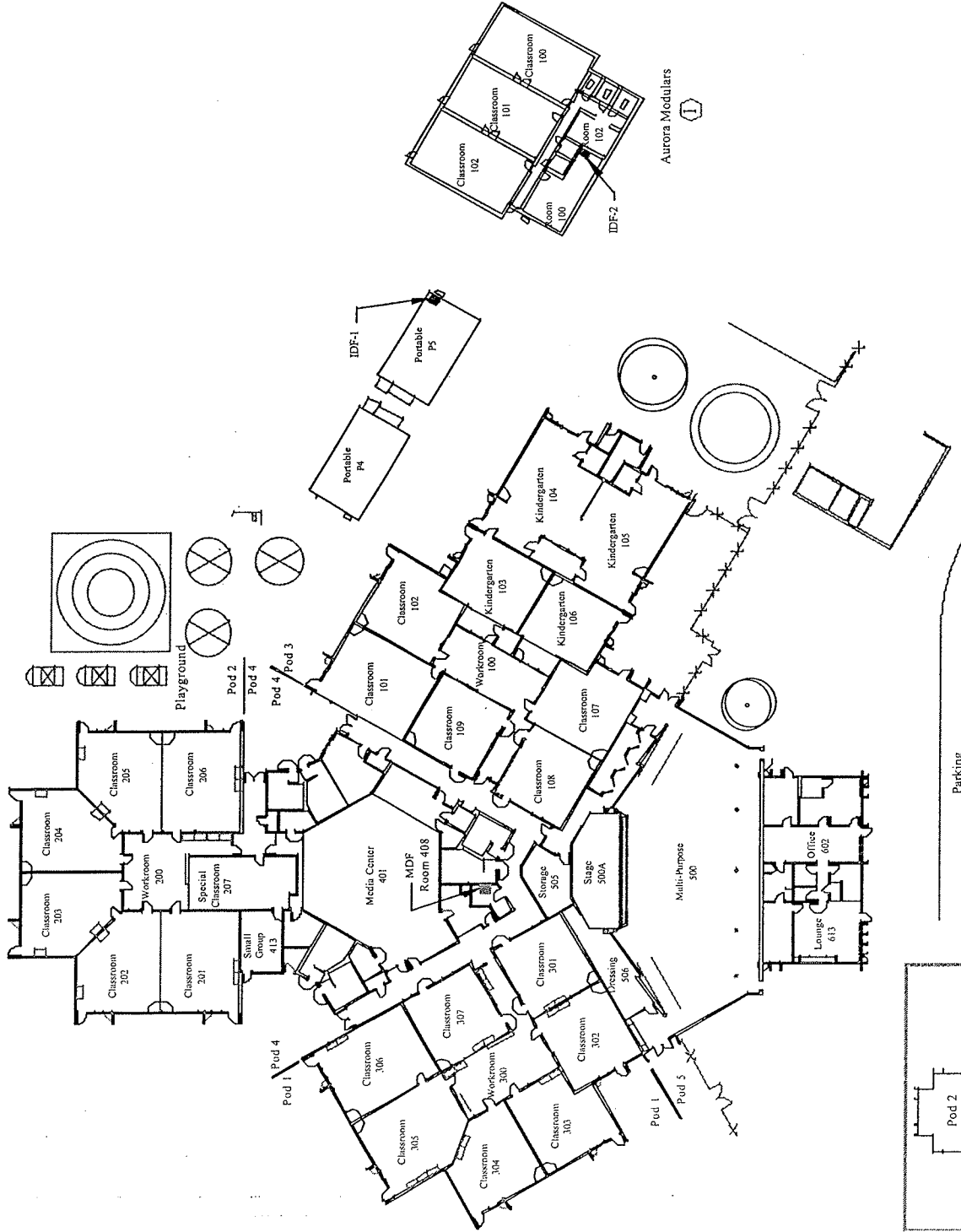
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### Prepared by WTA

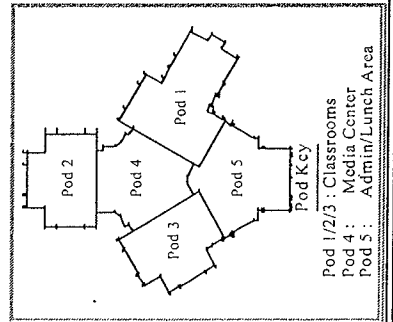
Technology Planning / Design / Implementation Consultants  
"Technology for the 21st Century School"™

Email: WTA@Wait-Thompson.com

Office: (916) 526-8353 Fax: (916) 851-9617



Revision Summary		
Revision	Date	Purpose
1	10/31/02	Changed Room Numbers
2		Added IDF 2 & Aurora Bldg



# Flora Vista Elementary School

of










Encinitas Union School District

## Campus Conduit Plan

\* Indicates that 8 Port 10/100 Hub must be provided for this CTP. (32 total required throughout campus)

Cable Termination Panel Summary	
Standard CTP	40
Standard CTP	0
Video Conferencing	47
Enhanced CTP	0
Enhanced CTP	0
Television/VCR CTP	0
Multi-Media CTP	24
CTP Totals	111

### Legend

-  MDF - Main Distribution Frame
-  IDF - Intermediate Distribution Frame
-  Standard Multi-Media CTP 2-Category 5 (Data) / 1-Coaxial Cable Ports
-  Enhanced Multi-Media CTP 1-Fiber Optic / 1-Coaxial / 2-Category 5 (Data) Ports
-  Single-Media TV/VCR CTP 1-Coaxial Cable Port
-  Multi-Media TV/VCR CTP 1-Fiber Optic / 2-Category 5 / 1-Coaxial Cable Port
-  Video Conferencing (VC) 1 of the 2 Category 5 Data Ports Connected to the Video Conferencing Network.
-  Backbone Cable Bundle Data/Video/Voice
-  Device Cable Bundle Data/Video/Voice

C CATV Demark TD Telephone Demark

Created By: B. Irving/C. Thompson

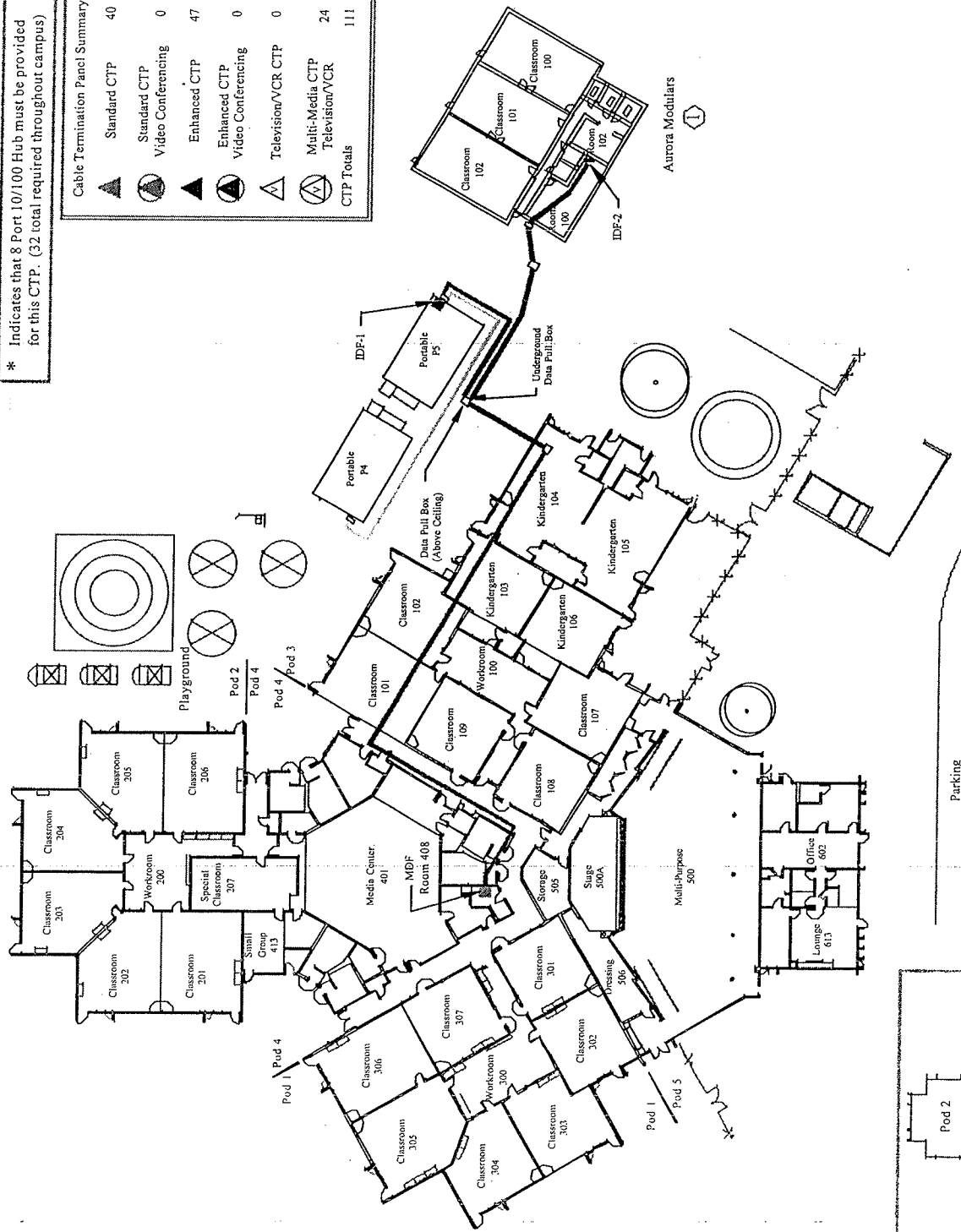
Date: 11/15/00

Prepared by WTA

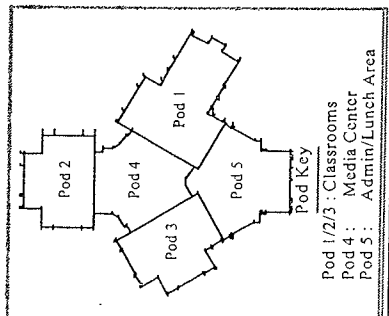
Technology Planning / Design / Implementation Consultants  
"Technology for the 21st Century School"™

E-Mail: WTA@Wait-Thompson.com

Office: (916) 526-8353 Fax: (916) 851-9617



Revision Summary		
Revision	Date	Purpose
1	10/31/02	Changed Room Numbers
		Added IDF 2 & Aurora Bldg



# ENCINITAS UNION SCHOOL DISTRICT

Data-Communications / Multi-Media Infrastructure Systems

## La Costa Heights Elementary School

### Network Design Illustrations

Wait-Thompson & Associates, Inc.

2377 Gold Meadow Way, Ste. 100

Gold River, CA 95670-4443

Off: 916.856.0856 / Fax: 916.851.9617

E-Mail: [CThompson@Wait-Thompson.Com](mailto:CThompson@Wait-Thompson.Com)

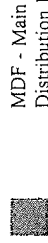
Prepared  
November 23, 2003

# La Costa Heights Elementary School

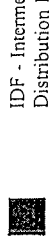
Encinitas Union School District

## Campus Site Plan (Proposed)

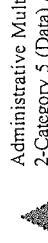
### Legend



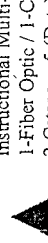
MDF - Main Distribution Frame



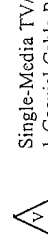
IDF - Intermediate Distribution Frame



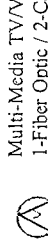
Administrative Multi-Media CTP  
2-Category 5 (Data) / 1-Coaxial Cable Ports



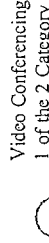
Instructional Multi-Media CTP  
1-Fiber Optic / 1-Coaxial / 2-Category 5 (Data) Ports



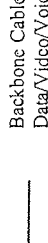
Single-Media TV/VCR CTP  
1-Coaxial Cable Port



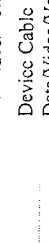
Multi-Media TV/VCR CTP  
1-Fiber Optic / 2-Category 5 / 1-Coaxial Cable Port



Video Conferencing (VC)  
1 of the 2 Category 5 Data Ports  
Connected to the Video  
Conferencing Network



Backbone Cable Bundle  
Data/Video/Voice



Device Cable Bundle  
Data/Video/Voice

CATV Demark TD Telephone Demark

Created By:

B. Irving/C. Thompson

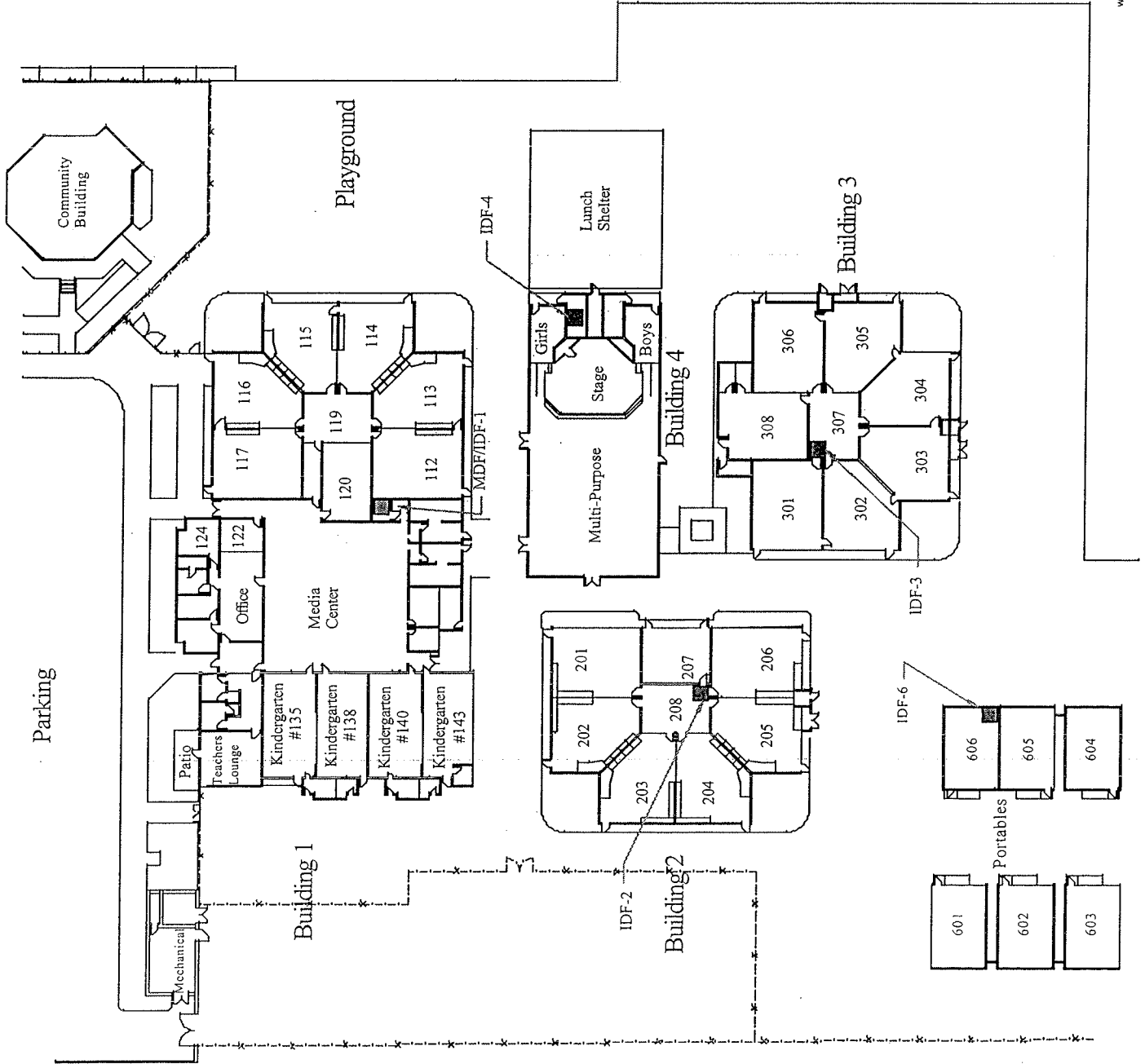
Date:

12/20/02

Prepared By

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# La Costa Heights Elementary School

Encinitas Union School District

## Site Conduit Plan (Existing)

### Legend

MDF - Main  
Distribution Frame

IDF - Intermediate  
Distribution Frame

Administrative Multi-Media CTP  
2-Category 5 (Data) / 1-Coaxial  
Cable Ports

Instructional Multi-Media CTP  
1-Fiber Optic / 1-Coaxial /  
2-Category 5 (Data) Ports

Single-Media TV/VCR CTP  
1-Coaxial Cable Port

Multi-Media TV/VCR CTP  
1-Fiber Optic / 2-Category 5 /  
1-Coaxial Cable Port

Video Conferencing (VC)  
1 of the 2 Category 5 Data Ports  
Connected to the Video  
Conferencing Network.

Backbone Cable Bundle  
Data/Video/Voice

Device Cable Bundle  
Data/Video/Voice

C CATV Demand TD Telephone Demand

Created By:

B. Irving/C. Thompson

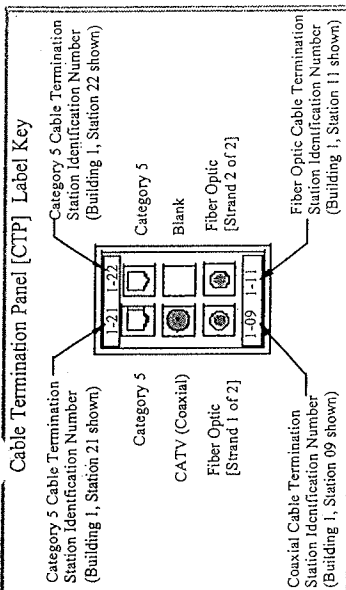
Date:

12/20/02

Prepared By

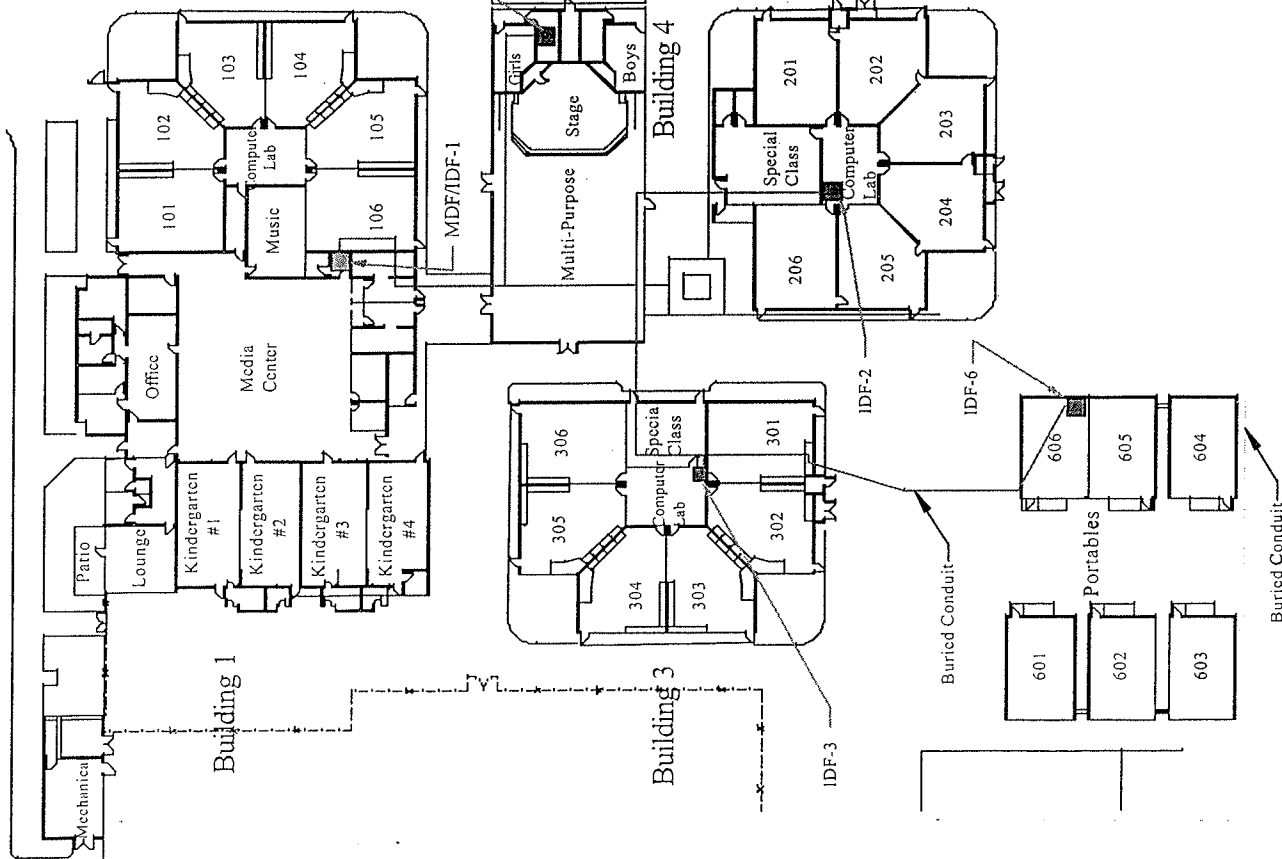
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Cable Termination Panels	
Administrative CTP	20
Administrative CTP	0
Video Conferencing	68
Instructional CTP	0
Instructional CTP	0
Video Conferencing	0
Television/VCR CTP	0
Multi-Media CTP	21
Television/VCR	109
CTP Totals	

Parking



# ENCINITAS UNION SCHOOL DISTRICT

Data-Communications / Multi-Media Infrastructure Systems

Mission Estancia Elementary School

Network Design Illustrations

Wait-Thompson & Associates, Inc.

2377 Gold Meadow Way, Ste. 100

Gold River, CA 95670-4443

Off: 916.856.0856 / Fax: 916.851.9617

E-Mail: [CThompson@Wait-Thompson.Com](mailto:CThompson@Wait-Thompson.Com)

Prepared










November 23, 2003

# Mission Estancia Elementary School

Encinitas Union School District

## Campus Site Plan (Proposed)

### Legend

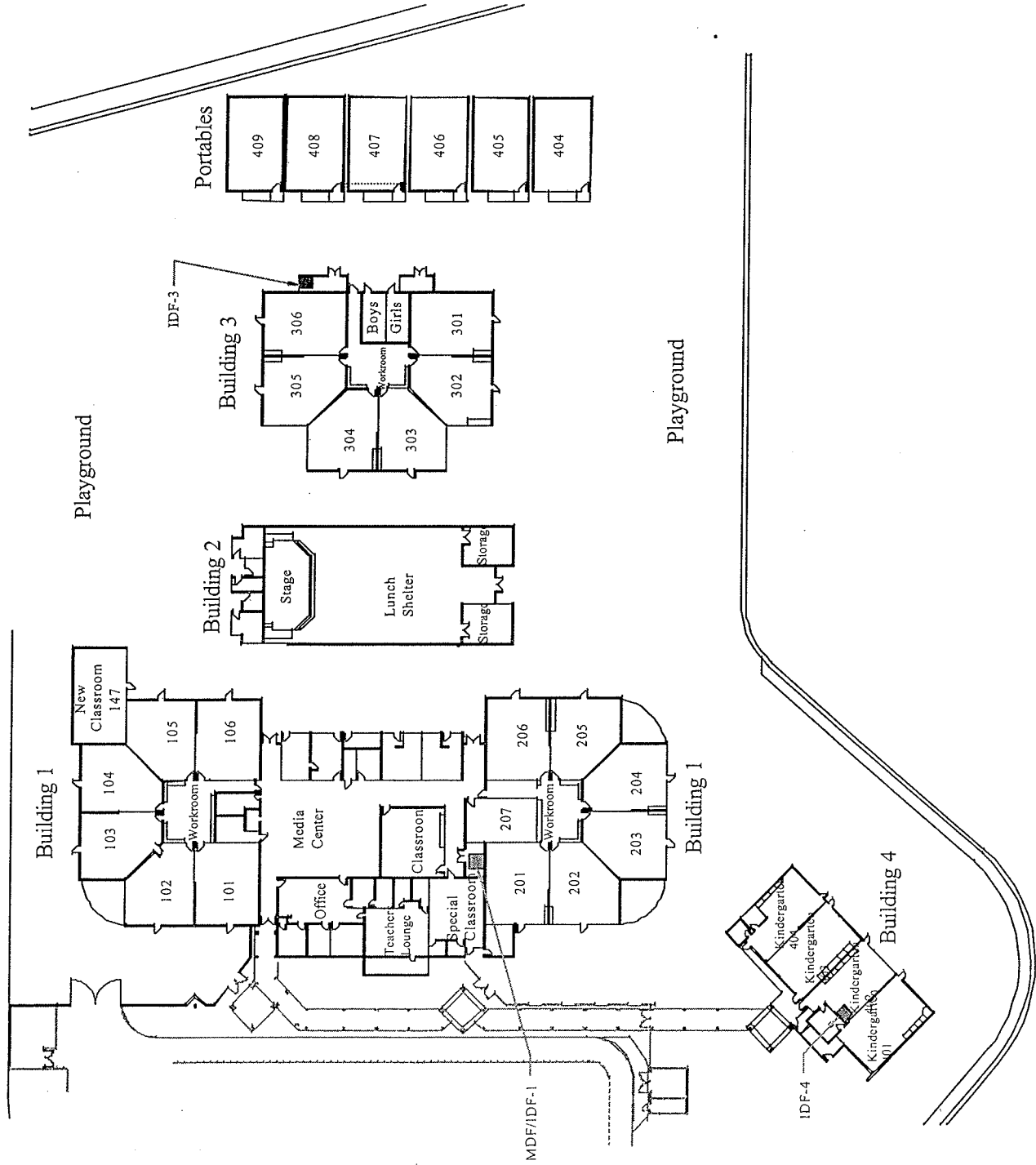
-  MDF - Main Distribution Frame
-  IDF - Intermediate Distribution Frame
-  Administrative Multi-Media CTP 2-Category 5 (Data) / 1-Coaxial Cable Ports
-  Instructional Multi-Media CTP 1-Fiber Optic / 1-Coaxial / 2-Category 5 (Data) Ports
-  Single-Media TV/VCR CTP 1-Coaxial Cable Port
-  Multi-Media TV/VCR CTP 1-Fiber Optic / 2-Category 5 / 1-Coaxial Cable Port
-  Video Conferencing (VC) 1 of the 2 Category 5 Data Ports Connected to the Video Conferencing Network
-  Backbone Cable Bundle Data/Video/Voice
-  Device Cable Bundle Data/Video/Voice

C CATV Demand TD Telephone Demand

Created By: B. Irving/C. Thompson  
Date: 12/05/02

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# Mission Estancia Elementary School

Encinitas Union School District

## Site Conduit Plan (Existing)

### Legend

- MDF - Main Distribution Frame
- IDF - Intermediate Distribution Frame
- Administrative Multi-Media CTP 2-Category 5 (Data) / 1-Coaxial Cable Ports
- Instructional Multi-Media CTP 1-Fiber Optic / 1-Coaxial / 2-Category 5 (Data) Ports
- Single-Media TV/VCR CTP 1-Coaxial Cable Port
- Multi-Media TV/VCR CTP 1-Fiber Optic / 2-Category 5 / 1-Coaxial Cable Port
- Video Conferencing (VC) 1 of the 2 Category 5 Data Ports Connected to the Video Conferencing Network.
- Backbone Cable Bundle Data/Video/Voice
- Device Cable Bundle Data/Video/Voice
- CATV Demark
- Telephone Demark

Created By: B. Irving/C. Thompson

Date: 12/10/98

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### Cable Termination Panel [CTP] Label Key

- Category 5 (Red) Workstation Numbers
- Fiber Optic (Green) Workstation Number
- Coaxial (Blue) Workstation Number



Note: See Conduit Plan For CTP Detail

Buried 4" conduit serving six existing Portables.

Playground

Building 7

Building 3

Building 5

Playground

Existing Portables - To remain until future construction.

### Cable Termination Panel [CTP] Label Key

- Category 5 Cable Termination Station Identification Number (Building 1, Station 21 shown)
- Category 5 CATV (Coaxial)
- Fiber Optic [Strand 1 of 2]
- Fiber Optic Cable Termination Station Identification Number (Building 1, Station 09 shown)
- Category 5 Blank
- Fiber Optic [Strand 2 of 2]
- Administrative CTP 21
- Administrative CTP Video Conferencing 0
- Instructional CTP 57
- Instructional CTP Video Conferencing 0
- Television/VCR CTP 0
- Multi-Media CTP Television/VCR 21
- CTP Totals 99

# ENCINITAS UNION SCHOOL DISTRICT

Data-Communications / Multi-Media Infrastructure Systems

## Ocean Knoll Elementary School

### Network Design Illustrations

Wait-Thompson & Associates, Inc.

2377 Gold Meadow Way, Ste. 100

Gold River, CA 95670-4443

Off: 916.856.0856 / Fax: 916.851.9617

E-Mail: [CThompson@Wait-Thompson.Com](mailto:CThompson@Wait-Thompson.Com)










Prepared  
November 23, 2003



# Ocean Knoll Elementary School

Encinitas Union School District

## Campus Site Plan (Post-Modernization) ③

### Legend

-  MDF - Main Distribution Frame
-  IDF - Intermediate Distribution Frame
-  Standard Multi-Media CTP 2-Category 5 (Data) / 1-Coaxial Cable Ports
-  Enhanced Multi-Media CTP 1-Fiber Optic / 1-Coaxial / 2-Category 5 (Data) Ports
-  Single-Media TV/VCR CTP 1-Coaxial Cable Port
-  Multi-Media TV/VCR CTP 1-Fiber Optic / 2-Category 5 / 1-Coaxial Cable Port
-  Video Conferencing (VC) 1 of the 2 Category 5 Data Ports Connected to the Video Conferencing Network.
-  Backbone Cable Bundle Data/Video/Voice
-  Device Cable Bundle Data/Video/Voice

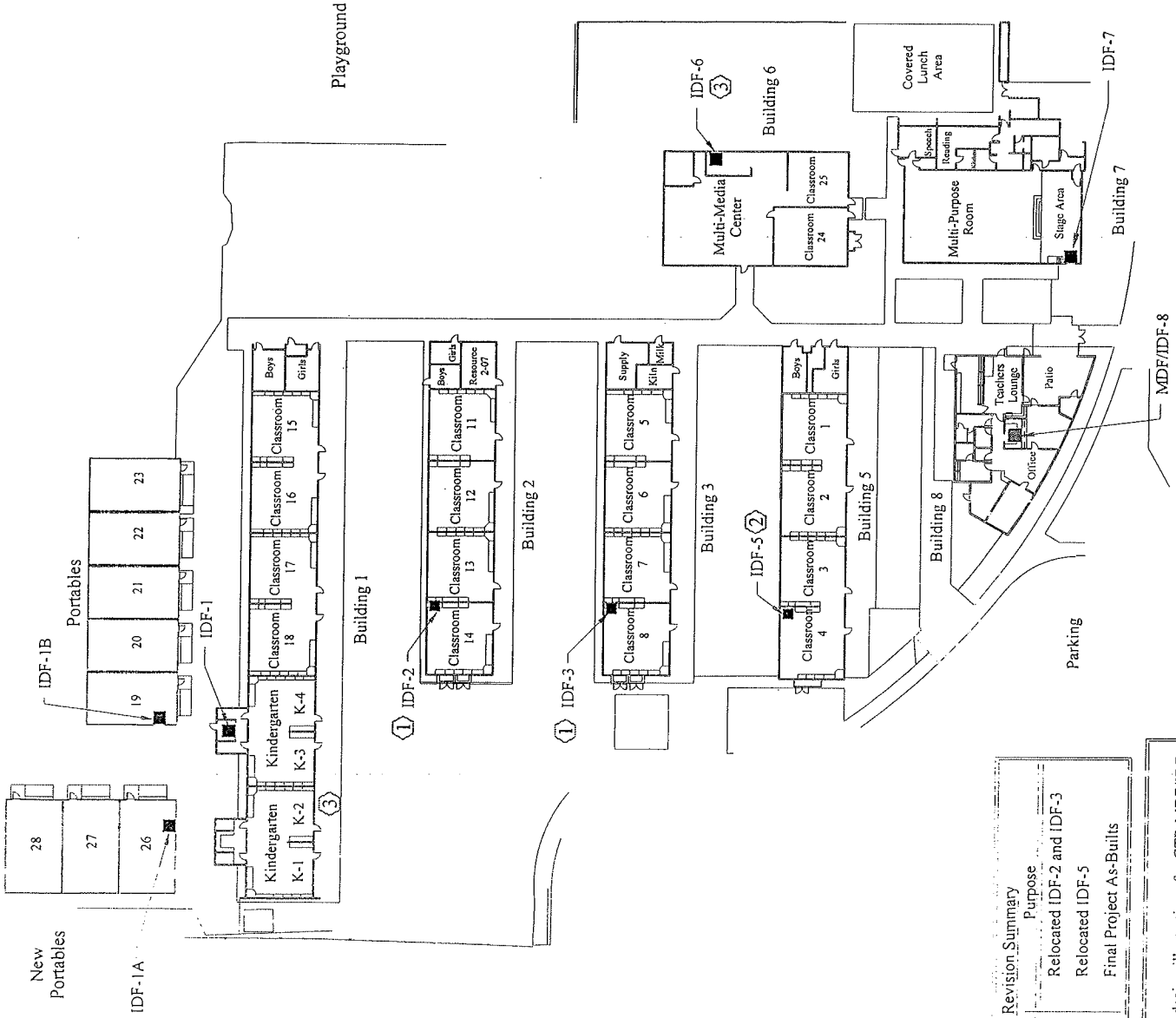
 CATV Demark  Telephone Demark

Created By:  
B. Irving/C. Thompson

Date:  
03/11/99 ① ② ③

*Prepared by WTA*

Technology Planning / Design / Implementation Consultants  
"Technology for the 21st Century School"™  
Email: WTA@Wait-Thompson.com  
Office: (916) 526-8353 Fax: (916) 851-9617



Revision Summary		
Revision	Date	Purpose
①	09/10/99	Relocated IDF-2 and IDF-3
②	10/05/99	Relocated IDF-5
③	04/01/00	Final Project As-Built















**Installation Notes:**  
Refer to individual design illustrations for CTP-MDF/IDF connectivity information.



# Ocean Knoll Elementary School

Encinitas Union School District

## Site Conduit Plan (Existing)

### Legend

-  MDF - Main Distribution Frame
-  IDF - Intermediate Distribution Frame
-  Standard Multi-Media CTP
-  2-Category 5 (Data) / 1-Coaxial Cable Ports
-  Enhanced Multi-Media CTP
-  1-Fiber Optic / 1-Coaxial / 2-Category 5 (Data) Ports
-  Single-Media TV/VCR CTP
-  1-Coaxial Cable Port
-  Multi-Media TV/VCR CTP
-  1-Fiber Optic / 2-Category 5 / 1-Coaxial Cable Port
-  Video Conferencing (VC)
-  1 of the 2 Category 5 Data Ports Connected to the Video Conferencing Network.
-  Backbone Cable Bundle Data/Video/Voice
-  Device Cable Bundle Data/Video/Voice

 CATV Demand  Telephone Demand

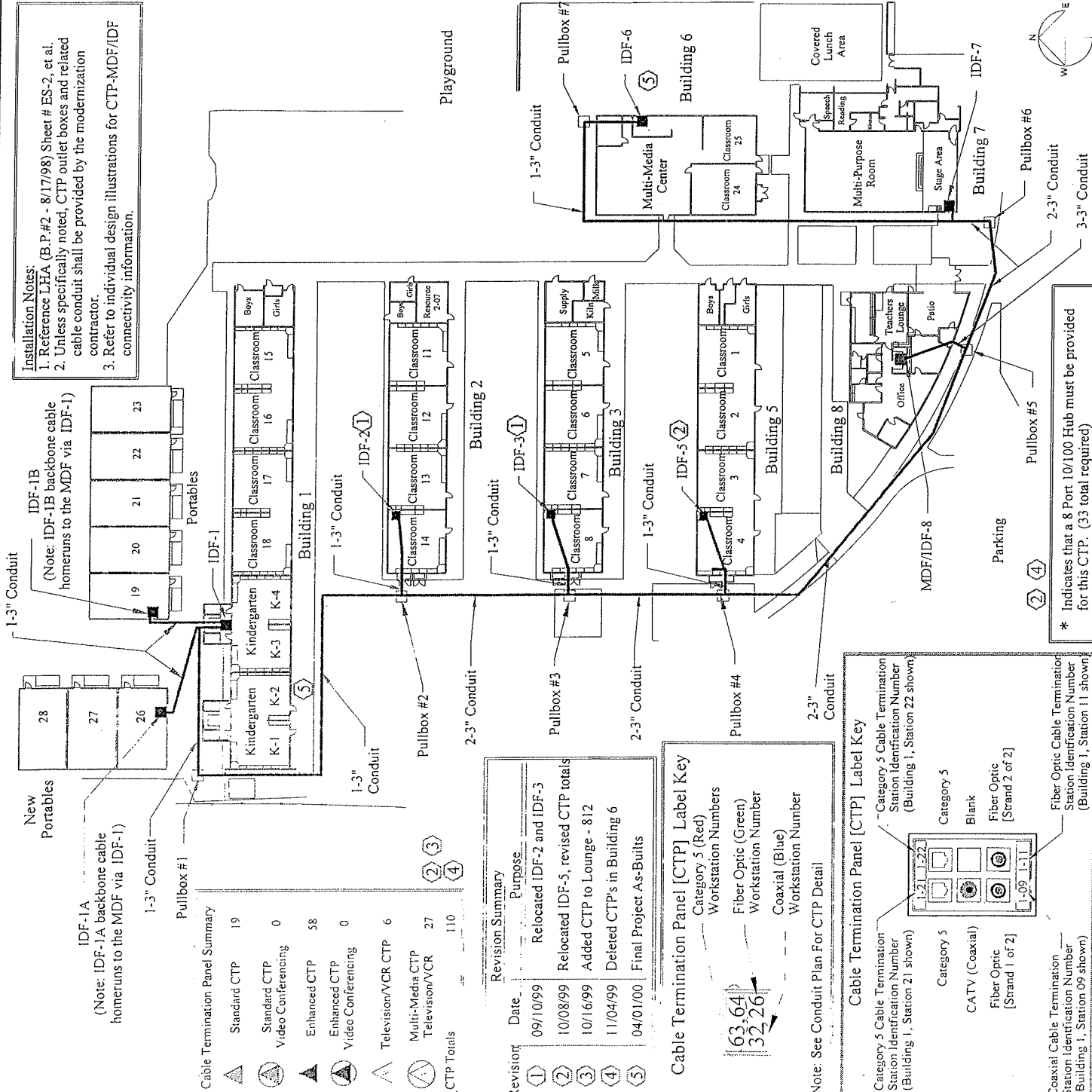
Date: 03/11/99

Created By: B. Irving C. Thompson

Prepared by WTA

Technology Planning / Design / Implementation Consultants  
"Technology for the 21st Century School!"  
E-Mail: WTA@Wait-Thompson.com  
Office: (916) 526-8353 Fax: (916) 851-9617

- Installation Notes:**
1. Reference LHA (B.P.#2 - 8/17/98) Sheet # ES-2, et al.
  2. Unless specifically noted, CTP outlet boxes and related cable conduit shall be provided by the modernization contractor.
  3. Refer to individual design illustrations for CTP-MDF/IDF connectivity information.



\* Indicates that a 8 Port 10/100 Hub must be provided for this CTP. (33 total required)

Revision	Date	Purpose
1	09/10/99	Relocated IDF-2 and IDF-3
2	10/08/99	Relocated IDF-5, revised CTP totals
3	10/16/99	Added CTP to Lounge - 812
4	11/04/99	Deleted CTP's in Building 6
5	04/01/00	Final Project As-Built

Cable Termination Panel [CTP] Label Key	
Category 5 (Red)	Workstation Numbers
Fiber Optic (Green)	Workstation Number
Coaxial (Blue)	Workstation Number

Cable Termination Panel [CTP] Label Key	
Category 5 Cable Termination Station Identification Number (Building 1, Station 21 shown)	Category 5 Cable Termination Station Identification Number (Building 1, Station 22 shown)
Category 5 CATV (Coaxial)	Blank
Fiber Optic [Strand 1 of 2]	Fiber Optic [Strand 2 of 2]
Fiber Optic Cable Termination Station Identification Number (Building 1, Station 09 shown)	Fiber Optic Cable Termination Station Identification Number (Building 1, Station 11 shown)

Note: See Conduit Plan For CTP Detail

# ENCINITAS UNION SCHOOL DISTRICT

Data/Tele-Communications / Multi-Media Infrastructure Systems

## Olivenhain Pioneer Elementary School

### Network Illustrations

Wait-Thompson & Associates, Inc.

2377 Gold Meadow Way, Ste. 100

Gold River, CA 95670-4443

Off: 916/526-8353 / Fax: 916/851-9617














Network "As-Built" Illustration

# Olivenhain Pioneer Elementary School

Encinitas Union School District

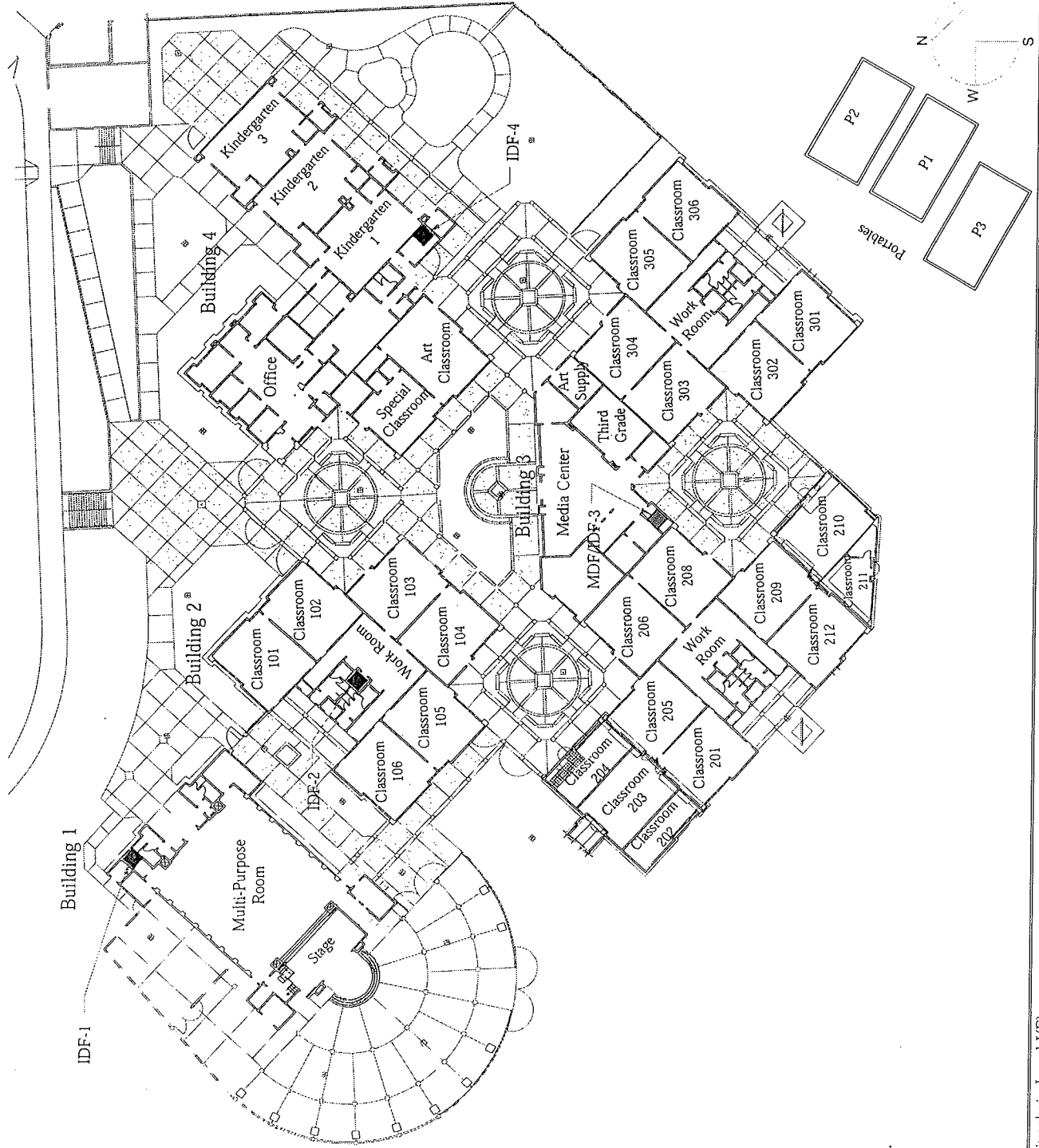
## Campus Site Plan (Existing)

- |   |  |
|---|--|
|    | MDF - Main Distribution Frame                  |
|    | IDF - Intermediate Distribution Frame          |
|    | CATV / Multi-Media                             |
|    | Data Communications                            |
|    | Data Communications / Video Conferencing       |
|    | Data / Video Conferencing / CATV / Multi-Media |
|   | Telephone Instrument Backbone                  |
|  | Data/Video/Voice                               |
|  | Workstation/Device Data/Video/Voice            |
|  | Telephone Demark                               |
|  | CATV Demark                                    |
- Legend

Created By:  
B. Irving/C. Thompson

Date:  
4/10/98

Prepared By  
**WTA**  
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# ENCINITAS UNION SCHOOL DISTRICT

Data-Communications / Multi-Media Infrastructure Systems

## Park Dale Lane Elementary School

### Network Design Illustrations

Wait-Thompson & Associates, Inc.

2377 Gold Meadow Way, Ste. 100

Gold River, CA 95670-4443

Off: 916.856.0856 / Fax: 916.851.9617

E-Mail: [CThompson@Wait-Thompson.Com](mailto:CThompson@Wait-Thompson.Com)

Prepared

November 23, 2003










# Network Design Illustration

## Park Dale Lane Elementary School

of  
Encinitas Union School District

### Campus Site Plan (Proposed)

#### Legend

-  MDF - Main Distribution Frame
-  IDF - Intermediate Distribution Frame
-  Standard Multi-Media CTP 2-Category 5 (Data) / 1-Coaxial Cable Ports
-  Enhanced Multi-Media CTP 1-Fiber Optic / 1-Coaxial / 2-Category 5 (Data) Ports
-  Single-Media TV/VCR CTP 1-Coaxial Cable Port
-  Multi-Media TV/VCR CTP 1-Fiber Optic / 2-Category 5 / 1-Coaxial Cable Port
-  Video Conferencing (VC) 1 of the 2 Category 5 Data Ports Connected to the Video Conferencing Network.
-  Backbone Cable Bundle Data/Video/Voice
-  Device Cable Bundle Data/Video/Voice

☐ CATV Demark ☐ Telephone Demark

Created By: B. Irving/C. Thompson

Date: 04/21/00

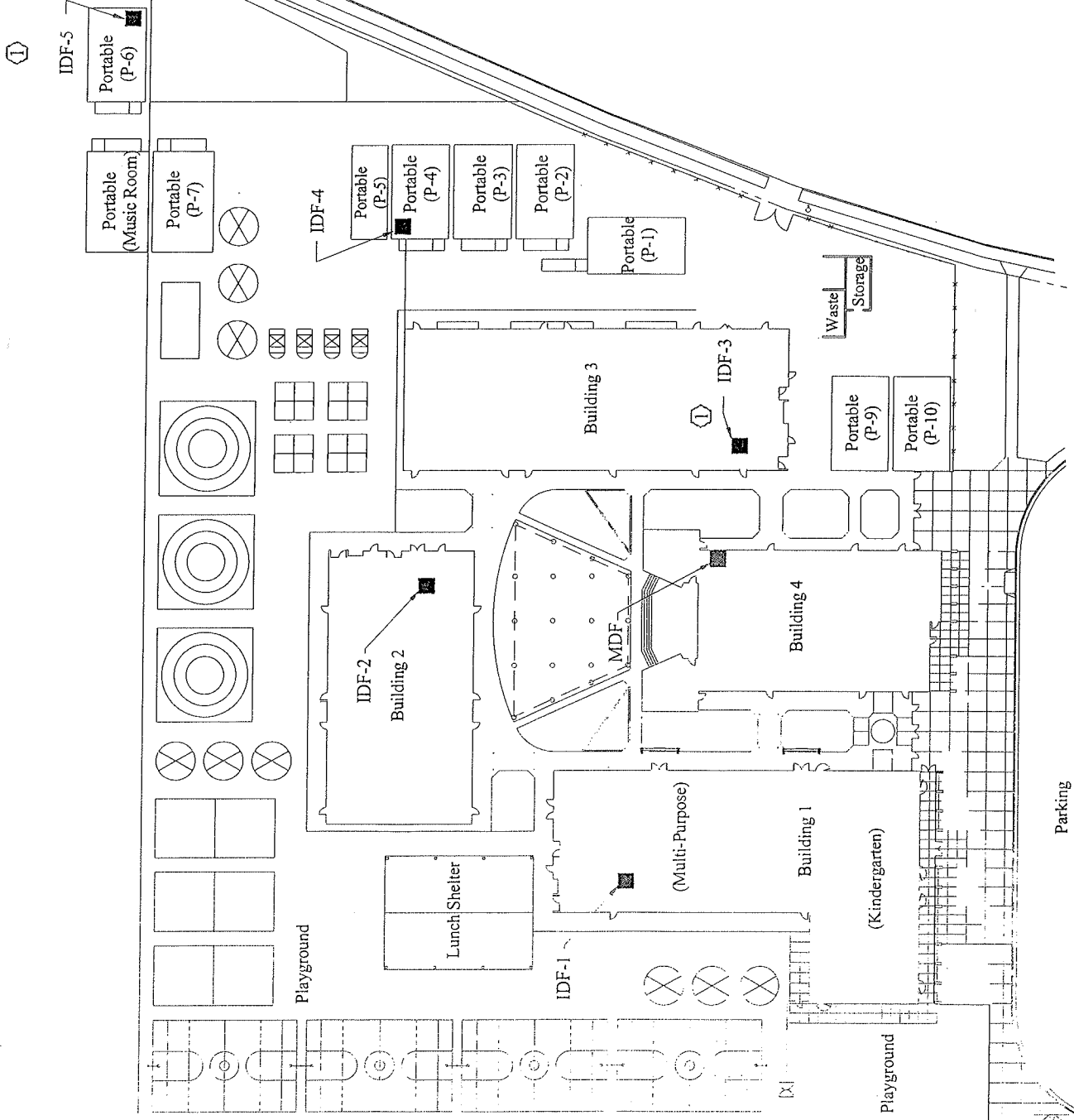
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Technology Planning / Design / Implementation Consultants  
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Office: (916) 526-8353 Fax: (916) 851-9617

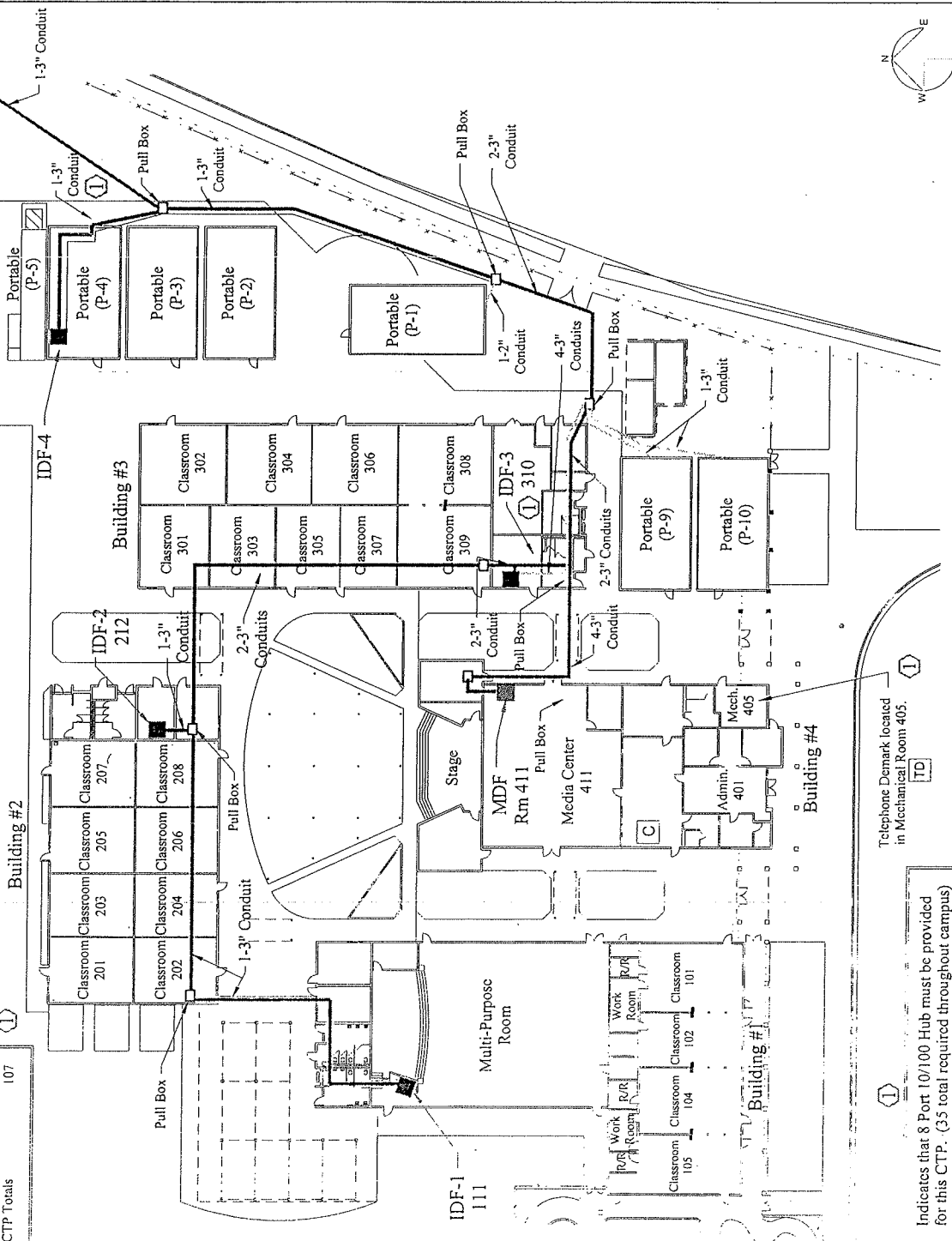
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Revision Summary		
Revision	Date	Purpose
①	04/21/00	Added IDF-5, Relocated IDF-3

Revision Summary		
Revision	Date	Purpose
①	04/21/00	Located CATV & Tele Demarks. Modified CTP/hub totals in Portables, Relocated IDF-3.

Cable Termination Panels (Building Totals)	
Standard CTP	17
Standard CTP Multi-Media / VC	0
Enhanced CTP	55
Enhanced CTP Multi-Media / VC	0
Single-Media TV/VCR CTP	1
Multi-Media CTP Television/VCR	34
<b>CTP Totals</b>	<b>107</b>



① \* Indicates that 8 Port 10/100 Hub must be provided for this CTP. (35 total required throughout campus)

Telephone Demark located in Mechanical Room 405.

Network Design Illustration  
**Park Dale Lane  
Elementary School**  
of  
Encinitas Union School District

**Site Conduit Plan (Proposed)**

**Legend**

- MDF - Main Distribution Frame
- IDF - Intermediate Distribution Frame
- Standard Multi-Media CTP 2-Category 5 (Data) / 1-Coaxial Cable Ports
- Enhanced Multi-Media CTP 1-Fiber Optic / 1-Coaxial / 2-Category 5 (Data) Ports
- Single-Media TV/VCR CTP 1-Coaxial Cable Port
- Multi-Media TV/VCR CTP 1-Fiber Optic / 2-Category 5 / 1-Coaxial Cable Port
- Video Conferencing (VC) 1 of the 2 Category 5 Data Ports Connected to the Video Conferencing Network.
- Backbone Cable Bundle Data/Video/Voice
- Device Cable Bundle Data/Video/Voice

CATV Demark Telephone Demark

Created By:  
B. Irving C. Thompson

Date:  
04/21/00

**Prepared by WTA**

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Office: (916) 526-8353 Fax: (916) 851-9617

# ENCINITAS UNION SCHOOL DISTRICT

Data-Communications / Multi-Media Infrastructure Systems

Paul Ecke Central Elementary School

## Network Design Illustrations

Wait-Thompson & Associates, Inc.

2377 Gold Meadow Way, Ste. 100

Gold River, CA 95670-4443

Off: 916.526.8353 / Fax: 916.851.9617

E-Mail: [CThompson@Wait-Thompson.Com](mailto:CThompson@Wait-Thompson.Com)

Prepared

March 11, 1999

Network Design Illustration

# Paul Ecke Central Elementary School

Encinitas Union School District

## Campus Site Plan (Proposed)

### Legend



MDF - Main Distribution Frame



IDF - Intermediate Distribution Frame



Standard Multi-Media CTP  
2-Category 5 (Data) / 1-Coaxial Cable Ports



Enhanced Multi-Media CTP  
1-Fiber Optic / 1-Coaxial / 2-Category 5 (Data) Ports



Single-Media TV/VCR CTP  
1-Coaxial Cable Port



Multi-Media TV/VCR CTP  
1-Fiber Optic / 2-Category 5 / 1-Coaxial Cable Port



Video Conferencing (VC)  
1 of the 2 Category 5 Data Ports Connected to the Video Conferencing Network.



Backbone Cable Bundle  
Data/Video/Voice  
Device Cable Bundle  
Data/Video/Voice

C CATV Demark TD Telephone Demark

Created By:

B. Irving/C. Thompson

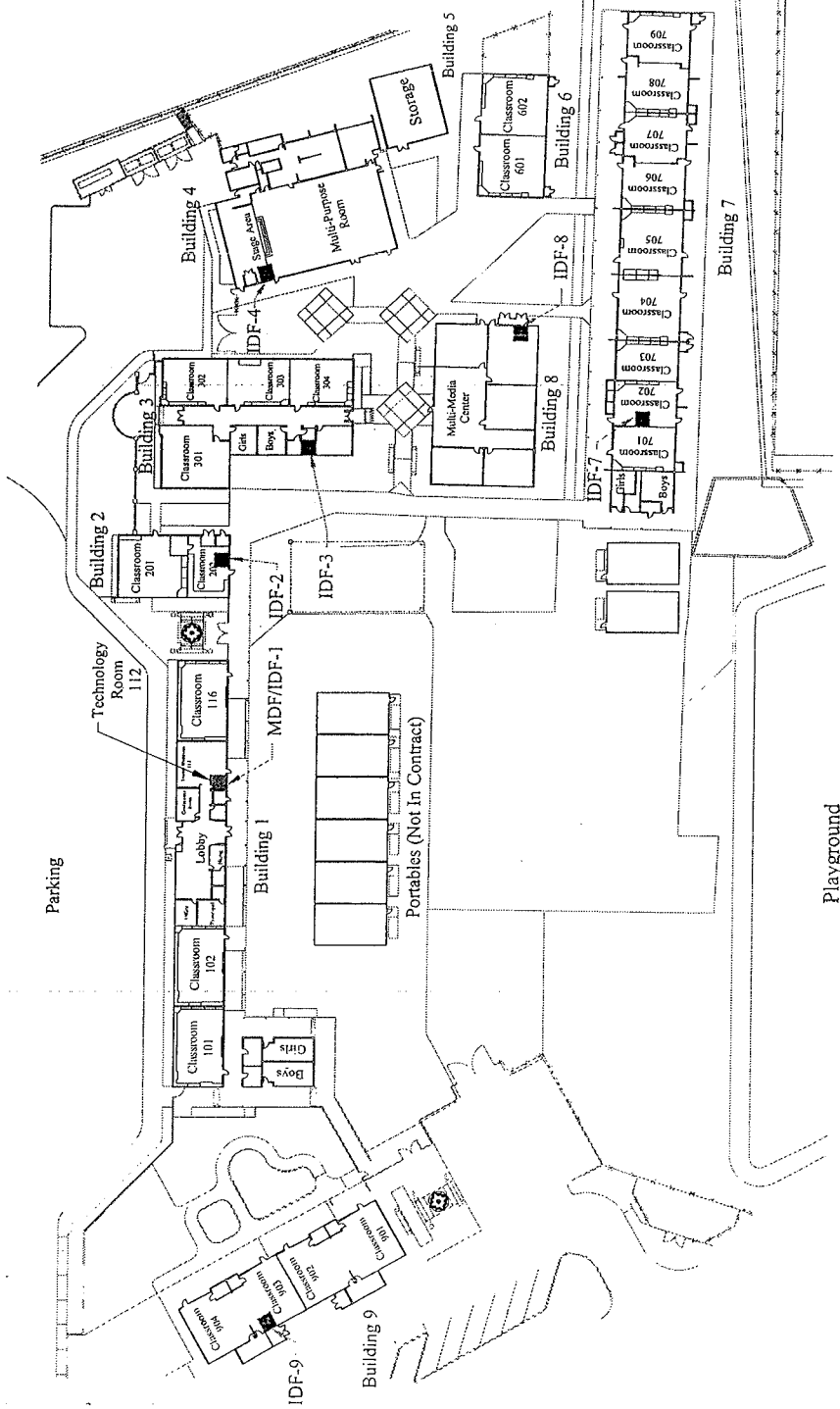
Date:

03/11/99

Prepared By

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Installation Notes:  
Refer to individual design illustrations for CTP-MDF/IDF connectivity information.

# Paul Ecke Central Elementary School

Encinitas Union School District

## Site Conduit Plan (Existing)

### Legend

- MDF - Main Distribution Frame
- IDF - Intermediate Distribution Frame
- Standard Multi-Media CTP 2-Category 5 (Data) / 1-Coaxial Cable Ports
- Enhanced Multi-Media CTP 1-Fiber Optic / 1-Coaxial / 2-Category 5 (Data) Ports
- Single-Media TV/VCR CTP 1-Coaxial Cable Port
- Multi-Media TV/VCR CTP 1-Fiber Optic / 2-Category 5 / 1-Coaxial Cable Port
- Video Conferencing (VC) 1 of the 2 Category 5 Data Ports Connected to the Video Conferencing Network.
- Backbone Cable Bundle Data/Video/Voice
- Device Cable Bundle Data/Video/Voice

C CATV Demark TD Telephone Demark

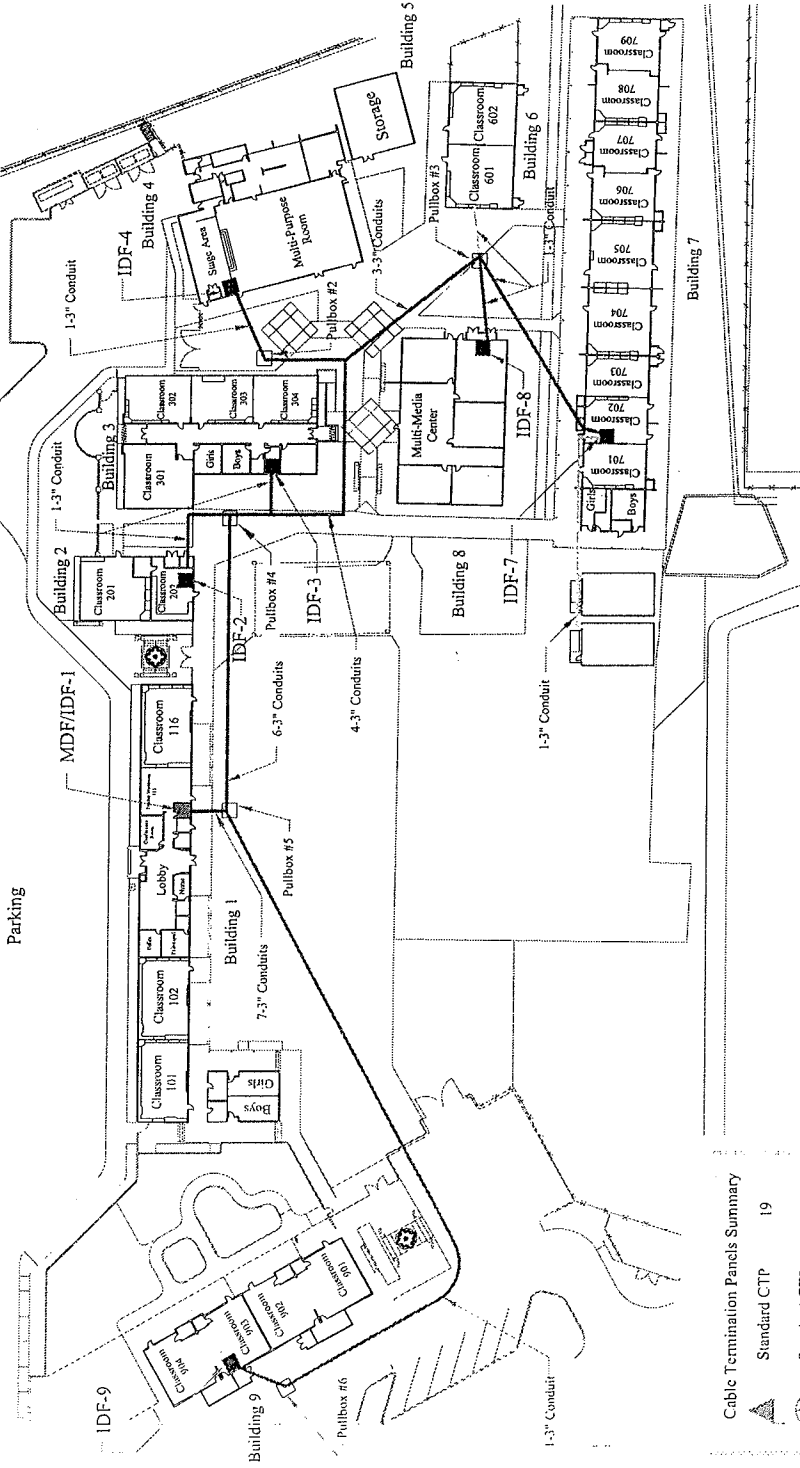
Created By: B. Irving/C. Thompson

Date: 03/11/99

Prepared By

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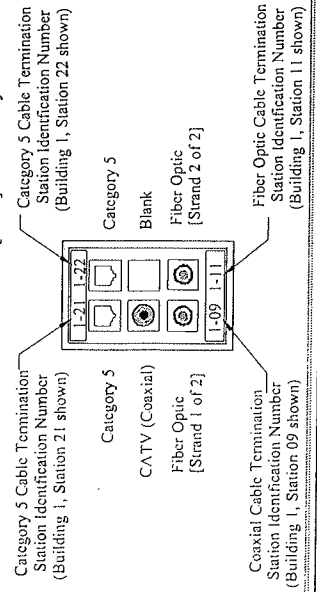


### Playground

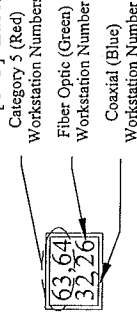
#### Cable Termination Panels Summary

	Standard CTP	19
	Standard CTP Video Conferencing	0
	Enhanced CTP	74
	Enhanced CTP Video Conferencing	0
	Television/VCR CTP	0
	Multi-Media CTP	31
	Television/VCR	124
	CTP Totals	

#### Cable Termination Panel [CTP] Label Key



#### Cable Termination Panel [CTP] Label Key



Note: See Conduit Plan For CTP Detail

\* Indicates that a 12 Port 10/100 Hub must be provided for this CTP. (36 total required)

#### Installation Notes:

1. Reference LHA (B.P.#2 - 7/14/98) Sheet # ES-2, et al.
2. Unless specifically noted, CTP outlet boxes and related conduit shall be provided by the modernization contractor.
3. Refer to individual design illustrations for MDF/IDF-CTP connectivity information.



*Technology for the 21st Century School*



*Wait-Thompson & Associates (WTA)*

*ADDEMDUM I*

*REQUEST FOR PROPOSALS: FIBER OPTIC WIDE AREA NETWORK (F-WAN)*

***ENCINITAS UNION SCHOOL DISTRICT  
101 S. RANCHO SANTA FE ROAD  
ENCINITAS, CA 92024-4349***

***DECEMBER 16, 2006***



**Request for Proposals: Fiber Optic Wide Area Network Service (F-WAN)**

**E-Rate/RFP Contact Person**

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**EUSD Purchasing Department**

Andrea Matusek, Purchasing Supervisor  
Office: 760.944.4300 / Ext: 1175  
E-Mail: amatusek@eusd.net

Vendor contact with District personnel is limited to the above, and the individual mentioned in A.12 below.

**RFP Due Date:** Sealed proposals **MUST** be received by the Purchasing Supervisor not later than Thursday, January 11, 2007, at 10:00AM.

**Requested Service:** Provision of district-wide **Fiber Optic Wide Area Network Service (F-WAN)**. F-WAN must provide 100Mbps of fixed bandwidth between the District Office (Network Hub), each of the District's nine (9) school sites, and the San Diego County Office of Education (SDCOE), the District's ISP. F-WAN must support Point - Point, Point - Multi-Point, and Multi-Point - Multi-Point service.

Refer to *Appendices/Attachments* for site locations, bandwidth requirements, schedule of costs, MDF locations, and **E-Rate Form 470** (MDF drawings are not scaled and should only be used to identify MDF locations).

**A. Overview**

F-WAN will improve network reliability by upgrading from copper based T-1 to broadband optical services.

F-WAN will provide a switched Ethernet wide area network (WAN). F-WAN must offer Layer 2 Ethernet connectivity for transparently interconnecting local area networks (LANs) throughout the District.

F-WAN features must include:

- a. 10/100 MB Ethernet physical connections at each of the nine (9) remote school sites and the SDCOE.
- b. At the District Office (DO), a single, 1 Gigabit Ethernet physical connection (Network Hub). This 1 Gigabit connection shall act as a single user network interface upon which virtual connections to the nine (9) remote school sites will be multiplexed. The connection must be capable of supporting the 100MB connection from each of the remote school sites.
- c. Ethernet Virtual Circuits (EVC) must provide connectivity between each of the nine (9) remote school sites and the single 1 Gigabit circuit at the Network Hub.

**B. Basic Requirements / Conditions**

1. Responding vendors must be currently certified by the California Public Utilities Commission (CPUC) to provide services under the California Teleconnect Fund (CTF) program.
2. Vendor product/service solutions must be currently eligible for CTF reimbursement.
3. Vendor must be E-Rate Certified and possess a valid Service Provider Identification Number (SPIN).
4. Vendor must offer three (3) and five (5) year contract options.
5. Vendor must have an Account Support Team and Maintenance/Repair Crew located within a 25 mile radius of the District Office.

6. Acceptance of service as described in this *RFP* is subject to availability of funding from *E-Rate*, *CTF*, and *District* sources.
7. Vendor must provide detailed and summary costs per circuit/link for both initial and [future] incremental bandwidth: *Installation / Recurring / Other*.
8. Prices must remain firm through the *SLD approval process* and duration of the proposed contract. In the event of a price decrease for service, the decrease shall be passed on to the *District* and documented with a new price sheet sent to *EUSD – Purchasing Supervisor*.
9. Any vendor, who contacts an *Encinitas Union School District Board of Education* member during the *RFP* process, will be automatically disqualified from further consideration for the *RFP* award.
10. The *Board of Education* reserves the right to reject any and all bids/proposals, or any or all items of any bid/proposal.
11. Vendors must submit their *RFP* response in both printed (3-copies) and electronic form (*PDF* format).
12. Vendors must contact *Gerry Devitt, Director, Maintenance and Operations (760.518.6890)* to arrange for school site and *District Office* access.
13. *F-WAN* circuits must be terminated in the *MDF* at each school site and the *District Office*. Cable routing and installation of all circuits (including conduit) shall be the responsibility of the vendor. Site *MDF* location drawings are attached (*MDF* drawings are not scaled and should only be used to identify *MDF* locations). Pathway routing must be approved by *Gerry Devitt, Director of Maintenance and Operations*. Mr. Devitt may be reached at 760.518.6890.

**C. Additional Requirements / Conditions**

1. How long has your firm been providing this type of service to organizations similar to the district.
2. Submit company and contact person names for three (3) organizations using similar services provided by your firm for three (3) or more years.
3. Provide an expansive conceptional-functional description of your proposed service solution.
4. Describe the core network infrastructure that supports your service.
5. Describe the method and technology you use to interconnect multiple locations to a single host location.
6. Provide detailed descriptions and network diagrams of your proposed network solution.
7. Describe in detail your *Service Level Guarantees/Agreements (SLG/A)* specific to *Network Availability, Packet Delivery, Latency, and Jitter*.
8. What are the penalties to be assessed against your firm for failing to meet *SLG/A*'s?
9. How are *SLG/A* penalties triggered?
10. How do you provide *Quality of Service (QoS)*?
11. Describe and list your *QoS* levels and their specifications.
12. Describe in detail how your proposed service solution is monitored and managed. List tasks and activities. If your proposed service solution is not monitored and managed, please explain why.
13. Are you offering *Bandwidth Options/Increments (BOI)*?
14. What is the physical handoff provided by your terminating equipment?
15. If answer to item 13 is yes, describe the process/cost to increase bandwidth on individual circuits.
16. For each circuit/link, what [end user] equipment/device is required to connect to your service?
17. Are your proposed *Ethernet* solutions compliant with the *Metro Ethernet Forum's (MEF)* global *Carrier Ethernet Service (CES)* definitions?
18. Describe your trouble reporting and escalation procedures.

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19. Describe your hours of operation and procedures for help/trouble reporting/maintenance support.

20. **Appendices:**

**Site Location / Bandwidth Requirements****Appendix A**

<i>School/Site Name</i>	<i>Street Address</i>	<i>City/State/Zip</i>	<i>Connection</i>	<i>Bandwidth</i>
District Office	101 S. Rancho Santa Fe Rd	Encinitas, CA 92024	1000 Base SX	1Gbps
Capri	941 Capri Road	Encinitas, CA 92024	10/100 Base T	100Mbps
El Camino Creek	7885 Paseo Aliso	Carlsbad, CA 92009	10/100 Base T	100Mbps
Flora Vista	1690 Wandering Road	Encinitas, CA 92024	10/100 Base T	100Mbps
La Costa Heights	3035 Levante Street	Carlsbad, CA 92009	10/100 Base T	100Mbps
Mission Estancia	3330 Calle Barcelona	Carlsbad, CA 92009	10/100 Base T	100Mbps
Ocean Knoll	910 Melba Road	Encinitas, CA 92024	10/100 Base T	100Mbps
Olivenhain Pioneer	8000 Calle Acervo	Carlsbad, CA 92009	10/100 Base T	100Mbps
Park Dale Lane	2050 Park Dale Lane	Encinitas, CA 92024	10/100 Base T	100Mbps
Paul Ecke Central	185 Union Street	Encinitas, CA 92024	10/100 Base T	100Mbps
SDCOE*	6401 Linda Vista Rd	San Diego, CA 92111	10/100 Base T	100Mbps

**Bandwidth Requirements / Schedule of Costs****Appendix B**

<i>School/Site Name</i>	<i>Connection</i>	<i>Install</i>	<i>Monthly</i>	<i>Other</i>	<i>Bandwidth</i>	<i>Install</i>	<i>Monthly</i>	<i>Other</i>
District Office	1000 Base SX				1Gbps			
Capri	10/100 Base T				100Mbps			
El Camino Creek	10/100 Base T				100Mbps			
Flora Vista	10/100 Base T				100Mbps			
La Costa Heights	10/100 Base T				100Mbps			
Mission Estancia	10/100 Base T				100Mbps			
Ocean Knoll	10/100 Base T				100Mbps			
Olivenhain Pioneer	10/100 Base T				100Mbps			
Park Dale Lane	10/100 Base T				100Mbps			
Paul Ecke Central	10/100 Base T				100Mbps			
SDCOE*	10/100 Base T				100Mbps			

**Total Costs**

**Note:** Cost information must be submitted in the above format.

\* San Diego County Office of Education (SDCOE)

**D. Miscellaneous General Conditions**

1. **BID FORM REQUIREMENTS.** The Bidder shall indicate on the Bid Form the unit price for each item listed and the total price for furnishing the total quantity of each item. All prices and notations must be typed or written in ink. Bids shall not be written in pencil. Mistakes may be crossed out and corrections inserted adjacent, but the correction shall be initialed in ink by the person signing the proposal. No corrections can be made after the time for opening bids.
2. **ACCEPTANCE OR REJECTION OF BIDS/PROPOSALS.** The Board of Education reserves the right to reject any and all bids/proposals, or any or all items contained therein, or waive any irregularity associated with any item contained therein. No bid/ proposal may be withdrawn for a period of ninety (90) days without the prior written approval of the District.

3. *FEDERAL OR STATE REGULATIONS.* The proposal and any contract entered into are subject to all applicable statutes of the *United States* or of the *State* and all applicable regulations and orders of the *Federal* or *State* governments now in effect or which shall be in effect during the period of such contract.
4. *ASSIGNMENT PROHIBITED.* No contract awarded under this proposal shall be assigned without the approval of the *Board of Education*. Any attempted assignment in violation of the provision shall be voidable at the option of the *Board of Trustees*.
5. *PATENT RIGHTS, COPYRIGHTS, AND TRADEMARKS.* The *Bidder* shall save, keep, bear harmless, and fully indemnify the *District*, it's officers or agents from all damages, or claims for damages, costs, or expenses in law or equity that may at any time arise or be set up for any infringement of the patent rights, copyrights, or trademarks of any person in consequence of the use by the *District*, or by any of its officers or agents of items to be supplied by the *Bidder*.
6. *DELIVERY.* All items shall be delivered in quantities specified in the contract *F.O.B.*, at the points within the *Encinitas Union School District* as specified in the contract. Deliveries in advance of the time specified in the contract shall not be accepted unless the *Bidder* has obtained prior approval from the *District*. Unless otherwise specified, if an item is not delivered as specified in the contract or if the *Bidder* delivers an item which does not conform to the *Specifications*, the *Board of Trustees* may, at its option, annul and set aside the contract, either in whole or in part, and may enter into a new contract in accordance with law for furnishing such item. Any additional cost or expense incurred by the *District* in the making of such contract or any additional cost of supplying an item by reason of the failure of the *Bidder*, as described in this paragraph, shall be paid by the *Bidder* or his surety.
7. *INSPECTION OF ITEMS FURNISHED.* All items furnished shall be subject to inspection and rejection by the *District* for defects or non-compliance with the specifications. The cost of inspection on deliveries or offers for delivery which do not meet spec's may be deducted from the contract price.
8. *INABILITY TO PERFORM.* In the event that *Bidder* is prevented from making delivery or otherwise performing on time as specified in the contract by fire, flood, earthquake, labor or transportation problems, war, acts of government, or any other similar cause commonly known as an act of *God*, which is not the fault of the *Bidder*, the *Bidder* shall not be required to deliver or perform, subject to the following requirements:
  - a. The *Bidder* shall send written notice to the *District* of the *Bidder's* inability to perform in accordance with the contract. The notice shall contain all facts which show the condition which prevents performance. The *Bidder* shall send such notice as soon as possible but in no event later than the fifth (5th) day following the date of issuance of a purchase order by the *District* or no later than the date specified in the contract for delivery or other performance, whichever is applicable.
  - b. The *District* may cancel the contract or purchase order, entirely or in part.
  - c. The *Bidder* shall not make any delivery or otherwise attempt to perform under the contract except on the basis of issuance by the *District* of a new purchase order or other written instruction.
9. *WARRANTY-PRODUCT.* *Seller* warrants that all articles furnished shall be free from all defects of material and workmanship, that all articles shall be fit and sufficient for the purposes intended, and shall save, keep, bear harmless and fully indemnify the *District* it's officers, employees or agents from all damages, or claims for damages, costs or expenses in law or equity that may at any time arise from *Buyers* normal use.
10. *EQUAL OPPORTUNITY EMPLOYMENT.* *Bidder*, in submitting his proposal certifies that he is an *Equal Opportunity Employer*, and certifies that he is in compliance with the *Civil Rights Act of 1964*, the *State Fair Employment Practice Act*, and all other applicable *Federal* and *State* laws and regulations relating to equal opportunity employment, including *Executive Order No. 11246 of September 24, 1965*.